

# Legislative Assembly

Thursday, 5th September, 1957.

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The SPEAKER took the Chair at 2.15 p.m., and read prayers.

## QUESTIONS.

### EDUCATION.

(a) *Additional Rooms for Infants, North Scarborough.*

Mr. MARSHALL asked the Minister for Education:

When will the additional rooms at North Scarborough be ready for occupation as an infants' school?

The MINISTER replied:  
February, 1958.

(b) *Site for South Scarborough Primary School.*

Mr. MARSHALL asked the Minister for Education:

Has finality been reached on the selection of a site for the proposed South Scarborough primary school?

The MINISTER replied:

A site has been selected and negotiations for its acquisition are proceeding.

(c) *Hollywood High School, Construction and Opening.*

Mr. COURT asked the Minister for Education:

(1) Is work on the Hollywood High School proceeding to schedule?

(2) Does he still expect to receive the first intake when the 1958 school year begins?

(3) If not, what alternative arrangement is proposed?

The MINISTER replied:

(1) and (2) Yes.

(3) See answers to Nos. (1) and (2).

### ELECTRICITY SUPPLIES.

*Extensions, Marmion-Sorrento Area.*

Mr. MARSHALL asked the Minister for Works:

(1) When does the State Electricity Commission expect to proceed with further electricity extensions in the Marmion-Sorrento area?

(2) How many applications have been received from residents who have completed the necessary wiring of their premises in the area mentioned and desire to be connected with power and light?

The MINISTER replied:

(1) At the end of this month.

(2) Ten, only eight of whom can be supplied on the two-pole per consumer basis.

### ALBANY WOOL SALES.

*Provision for Scouring and Carbonising.*

Mr. HALL asked the Minister for Agriculture:

(1) Will wool found to be unsuitable for export from Albany wool sales be sent to Fremantle for scouring and carbonising?

(2) What percentage of such wool would be required for scouring only, and would such wool be sent to Fremantle for scouring purposes?

(3) If the answer to No. (2) is "Yes," was the Albany Woollen Mills approached in any way to see if it would be possible for that firm to carry out scouring of wools not required for carbonising?

(4) Has any provision been made for establishing scouring and carbonising operations at Albany if wool sales prove successful at the end of two years?

The MINISTER replied:

(1) Wool for scouring from the Albany sales will probably be sent to Fremantle for treatment.

(2) All wool sent to Fremantle for treatment would be for scouring. No carbonising is done in this State.

(3) This is a matter for buyers of the wool. It is doubtful whether the Albany Woollen Mills would be in a position to scour substantial quantities of wool.

(4) It is anticipated that should sufficient demand develop for scouring facilities at Albany, those engaged in the trade will take appropriate action. The Government will watch the position during the next two years.

### TRANSPORT.

#### *(a) Unrestricted Carting, Tone River District.*

Mr. HEARMAN asked the Minister for Transport:

(1) In view of information given in answer to questions on the 3rd September, would the Government give favourable consideration to—

(a) allowing farmers to cart their own fuel from Cranbrook to Tone River;

(b) allowing farmers to cart their own fuel and other farm requisites from Albany to Tone River?

(2) What would be the financial saving to the Government if farmers in the Tone River area were allowed unrestricted carting from—

(a) Albany to Tone River;

(b) Cranbrook to Tone River, on one ton of wool and one ton of fuel?

The MINISTER replied:

(1) (a) Consideration will be given to this request, but it must be borne in mind that the loss of traffic by the existing subsidised service between Tone River and Boyup Brook will undoubtedly cost a deterioration in the service.

(b) In view of the railways position there is no justification for allowing farmers to cart their own fuel from Albany.

(2) (a) and (b) If wool were transported from the Tone River district to Cranbrook or Albany, the Government would save the subsidy of approximately 1s. 11d. per ton. Road haulage through to Albany would cause the railways to lose the rail freight from Cranbrook to Albany, namely 69s. per ton.

If fuel were hauled from either Albany or Cranbrook to Tone River the Government would lose the rail freight from Fremantle to Bridgetown, namely 132s. per ton. The saving in subsidy, if any, would be negligible as fuel is conveyed by road from Bridgetown bulk depot to Tone River without subsidy at present.

#### *(b) Subsidised Road Haulage of Wool.*

Mr. HEARMAN asked the Minister for Transport:

(1) What tonnage of wool was carted by the subsidised road haulier operating the Boyup Brook-Tone River service for the year 1956-57?

(2) What tonnage of wool was carted by the subsidised road haulier operating the Cranbrook-Frankland River service for the year 1956-57?

(3) Have either of these operators adequate facilities for carting all the wool to Cranbrook from the Boyup Brook-Tone River area that is likely to go to Albany for sale?

The MINISTER replied:

(1) 130 tons.

(2) 419 tons.

(3) Yes, either operator could cope with this traffic.

#### *(c) Position Regarding Tone River Carting.*

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

In reply to a previous question on this matter, the Minister said, in answer to question No. (1) (a)—

Consideration will be given to this request but it must be borne in mind that the loss of traffic by the existing subsidised service between Tone River and Boyup Brook will undoubtedly cost a deterioration in the service.

The question referred to the cartage of fuel. In answer to question No. (2) (a) and (b), the Minister said that the fuel is carried from Bridgetown to Tone River without subsidy. It seems that there is an inconsistency in these answers. Will the Minister give further consideration to the matter?

The MINISTER replied:

I do not admit that there is any inconsistency. I think they are two separate points which have been confused by the hon. member. I am sure he will agree that if there is a regular service operating, whether rail or road, and if there is any inroad into the volume of goods to be transported, they must interfere with the service—first of all with the frequency of it and then, probably on account of that, with the cost of the service.

That was the point which was being made in the answer to the question, and I should emphasise the case of the individual and not only of the Government.

#### *(d) Effect on Subsidised Services.*

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

I think the Minister has missed the point. The oil companies cart fuel to Bridgetown and Tone River and it does not go through subsidised road services at all, as the service is not at present carting that fuel. Therefore it does not make any difference to that service at all.

The MINISTER replied:

I do not think that was a question, but rather a statement. If the hon. member seeks some specific information because he is unable to follow me, I suggest he place his question on the notice paper.

#### WUNDOWIE.

##### *Tenders for Supply of Motor-trucks.*

Mr. COURT asked the Minister for Industrial Development:

Will he lay on the Table of the House the whole of the papers related to the tenders for supply and delivery of motor-trucks for the Wundowie charcoal iron and steel industry, T/B. Schedule 213A/57?

The MINISTER replied:

Yes, for one week.

#### FREMANTLE HARBOUR.

##### *Future Development and Expansion.*

Hon. D. BRAND asked the Minister for Works:

(1) Does the Government consider that sufficient space is available between existing berths and the present traffic bridge to meet future expansion needs of the Fremantle harbour?

(2) What plans has the Government for rail crossing alternative to the present bridge?

(3) When will such a change be made and when will such upstream development be completed?

The MINISTER replied:

(1) Yes, for inner harbour requirements.

(2) This matter is at present receiving consideration.

(3) Answered by No. (2).

#### COCKBURN SOUND.

##### *Widening and Deepening of Channel.*

Hon. D. BRAND asked the Minister for Works:

As the Government is aware of proposals to widen and deepen the channel through the sand bank to Cockburn Sound, would he give details of the proposed work to the House, and indicate when such work will be undertaken?

The MINISTER replied:

The information requested of the Government has been supplied to a private company which has considered the matter.

So far as the Government is aware, the proposals are not firm; nor are they likely to be proceeded with in the near future.

#### S.P. BOOKMAKERS.

##### *Relinquishment and Replacement of Licences.*

Mr. WILD asked the Minister for Police:

(1) Of the 57 licences that have been relinquished voluntarily by s.p. bookmakers since the inception of the Betting Control Act, how many licences have been issued in replacement thereof?

(2) When licences are relinquished voluntarily, or cancelled by the board, are applications called by the board, and if not, what is the system for selecting the incoming registered bookmaker?

The MINISTER replied:

(1) 47.

(2) (a) When licences are relinquished voluntarily, or cancelled by the board, applications are not called for by the board to replace the licences.

(b) In the above circumstances, the following procedure is adopted:—

Where a licensee desires to surrender his licence and dispose of his business chattels to another person who wishes to acquire the licence in his stead, the present holder advises the board accordingly.

The other person concurrently applies for a new licence, and supplies proof that he will have the right to occupy the premises. If he is a suitable person the board will grant the licence.

The retiring licensee surrenders his licence.

Where a licence is cancelled by the board, and an application is or applications are, made for a new licence either for the premises previously registered or for other premises in the vicinity, such applications are dealt with on their merits.

If more than one application is received for particular premises, the owner or lessee is required to stipulate his order of preference as to tenants, and the board will deal with the applications in that order, assuming that it agrees to a grant of registration of such premises beforehand.

#### ARMADALE-KELMSCOTT ROAD BOARD.

##### *(a) Gravel Supplies.*

Mr. WILD asked the Minister for Forests:

(1) Is he aware that since 1956 the Armadale-Kelmscott Road Board has been endeavouring to obtain permission to operate a gravel pit in State forest No. 22?

(2) Has the comprehensive survey of gravel supplies within the 40-mile radius of Perth been completed?

(3) Has a senior officer of the Forests Department discussed the question of gravel supplies with the Armadale-Kelm-scott Road Board—vide their correspondence of the 29th August, 1956?

(4) If not, why not?

(5) What is the objection to making available gravel supplies in areas adjacent to Armadale that are very sparsely timbered?

The MINISTER replied:

(1) Yes. This board has removed a considerable quantity of gravel from State forest No. 22 in the past. This has recently (June, 1957) been stopped due to encroachment on more heavily timbered forest.

(2) A considerable amount of work has been done, but the matter has not yet been completely finalised.

(3) Yes.

(4) Answered by No. (3).

(5) State forest has been dedicated for the purpose of growing timber in perpetuity.

There are still supplies of gravel available on private property, and until these sources of supply are exhausted, it is felt that areas of State forest should be retained for the purpose for which they were dedicated.

(b) *Alternative for Local Authority.*

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

Further to my previous question, do I take it from his answer that even though there is a large quantity of gravel on very sparsely timbered country—in some places as bare as a table top—the local authority must purchase or resume gravel pits from private people, when these large quantities are available on what is now State forest land but which, I repeat, is very sparsely timbered country?

The MINISTER replied:

It is not necessary for local authorities to resume or purchase land; it is possible for them to enter into arrangements with a private holder to purchase gravel at a mutually agreeable figure per load or cubic yard as the case may be. The feeling of the Forests Department is that these private sources should be investigated since in many cases they are unfit for farming purposes in the ordinary sense, and that the gravel which is in the State forest land, should be held more or less as a reserve to be used as a last resort because, even though in many cases there is not any great growth of timber there, these excavations interfere with forestry operations such as the hauling of logs, arrangements for fire breaks, and so on.

To my knowledge, in the past seven years quite a number of local authorities who apparently felt originally that the only

source of supply was from forest controlled land, were able to obtain, with the assistance and advice of the Forests Department, ample gravel supplies elsewhere. I do not think that the private sources are yet by any means exhausted.

## PETROL.

### *Country Prices, Unfair Trading Commissioner's Investigation.*

Mr. EVANS (without notice) asked the Premier:

(1) Has the Commissioner of Unfair Trading made any investigation into the price of petrol in the country districts?

(2) If the answer to No. (1) is "No", can the Premier indicate whether such an inquiry is contemplated?

The PREMIER replied:

The hon. member was good enough to supply me with copies of these questions this morning. In answer to both the questions, I would say that some inquiries have been carried out by the Commissioner of Unfair Trading in connection with petrol prices in country areas, but those inquiries have not yet been completed. They will proceed and, as soon as they can be completed, the commissioner himself will give close consideration to the results of the investigation.

## BILL—PARLIAMENTARY PERMANENT OFFICERS.

### *Second Reading.*

THE PREMIER (Hon. A. R. G. Hawke—Northam) [2.32] in moving the second reading said: This Bill has been introduced because members of the Government think the time is due, if not overdue, when conditions of employment for officers of Parliament should be placed on an organised, consistent and recognisable basis. In the past, conditions of employment and other matters associated with those officers have not been on a satisfactory basis at all. Much has depended, from time to time, upon maybe the Speaker of the Legislative Assembly or the President of the Legislative Council or upon some other people who have authority in Parliament House in regard to some of the staff.

As a result of this lack of authority, some undesirable practices developed in years gone by. One of these practices was that of accumulating annual and long-service leave up to a very substantial proportion. There was also the practice of working on well beyond the recognised retiring age as applied to the Public Service of the State and to Government employees generally.

It is thought that there should be an established authority in this matter and it is thought also that there should be some reasonable degree of consistency as between general employment

conditions of officers employed here and those employed elsewhere by the Government. It is realised that there could not be absolute consistency, nor should there be, because conditions of employment here differ quite considerably, in some respects, to conditions of employment in the State Public Service as we know it. Working hours here, for instance, are quite different for some months of the year from those working hours which apply in other parts of the Government service.

This Bill aims to establish the Public Service Commissioner, or the public service board if the public service board comes into operation, as the authority to determine salaries and general conditions of employment. That will be a guarantee of a reasonable degree of consistency in relation to employment conditions. The Public Service Commissioner would not act until he had consulted, very closely, with the authorities which are set up under the Act; namely, the Speaker of the Legislative Assembly in regard to officers employed in this part of the Parliament, and the President of the Legislative Council in connection with officers employed in that part of the Parliament.

Hon. Sir Ross McLarty: They really become public servants under this Bill.

The PREMIER: No, they do not become public servants. They have their salaries and general conditions of employment in regard to leave and so on determined by the Public Service Commissioner after close consultation by him with the appropriate authority here—as I mentioned a moment ago, the Speaker of the Legislative Assembly in regard to officers of Parliament employed in the Legislative Assembly or in association with the Legislative Assembly.

The direction of the work and the activities of the officers of Parliament will still remain with the appropriate authorities here. In other words, the Speaker of the Legislative Assembly will direct and control the operations of officers in this part of the Parliament; likewise, the President of the Legislative Council will do the same in the other section of the Parliament. The chairman of the Joint House Committee, as set up, or will be set up in the event of the Bill being passed, is the authority to control and direct the work of those officers of Parliament who come under his direction, and there is also provision in the Bill for one or two other authorities to have control and direction in regard to the actual work to be done.

In other words, the Public Service Commissioner, whilst he will, after close consultation, fix salaries and decide conditions of leave, annual and so on, will not direct or control the work which the men and women employed here will do. All the direction and control of the work will be in the hands of the appropriate authorities located in the Parliament. The

officers of the Parliament will be officers of Parliament and not members of the Public Service under the Public Service Act, or under the provisions of the Public Service Appeal Board Act, if the Bill which is now before Parliament becomes the law. I think that covers fairly clearly the question which was submitted to me on the point by the member for Murray a few moments ago.

As members will see from the Bill, the definition of the term, "permanent officers" is quite embracing. It ranges from the clerks of the two Houses to such positions as those of attendants, typists and so on. It has been framed that way because, in the past, and indeed at the present time, all of those officers who are specified in this Bill have been, and are, under the control and direction of the appropriate authorities here in Parliament in regard to the work which they shall do and the manner in which they shall carry out that work.

The Bill lays down that the retiring age for officers of Parliament shall be 65 years. I think there is not any argument why any officer of Parliament should continue beyond that age when, in fact, the rule in the Public Service and in Government employment generally, is for a retiring age of 65 years. I can see the member for Murray smiling and he is probably saying to himself that it is a great comfort that this rule does not apply to members of Parliament. However, the truth about that is that a member of Parliament can be retired every three years if a majority of the people in the district for which he offers his services, are of the opinion that he should be retired.

There is authority in the Bill to make the 65 years of age retirement provision sufficiently elastic to meet a situation which could easily arise in the Parliament. For instance, we probably would not want the leader of the Hansard staff to retire in the middle of a session or immediately after a session had concluded. We all know that when Parliament does conclude its work in a session, a great number of records have to be prepared and checked, and their accuracy ensured. It might easily be that it would be desirable to retain for a few weeks beyond 65 years of age the leader of the Hansard staff, or for that matter, any member of the Hansard staff.

The same argument would apply with equal merit to our friend the Clerk of the Legislative Assembly who is trying to work this out mathematically as he is listening carefully to what I am saying. It would apply similarly to the Clerk of the Legislative Council and it could apply to other officers employed in and by the Parliament. Therefore, as I say, this special provision has been put into the Bill to

allow a degree of discretion in regard to the enforcement of the retiring age of 65 years. Nevertheless the Bill will, if it becomes law, lay down that any extension beyond 65 years of age, in the service of any officer, shall be for a limited period only and to meet special circumstances.

The commissioner—that is the Public Service Commissioner—would make his first determination in regard to salaries as soon as possible after the Act came into operation; and he would make a determination, certainly, whenever a general reclassification of the Public Service was being carried out, if not before.

The provisions of the Public Service Act in regard to annual leave, leave of absence in case of sickness or pressing necessity, and in connection with long-service leave and other conditions of service will, in future, operate in connection with the officers of Parliament. The three weeks annual leave which is now granted to officers of Parliament will continue even though the period of annual leave granted to officers of the Public Service and Government employees generally is only two weeks in duration. It is thought that the conditions of employment in Parliament are such as to justify the granting of an additional week's annual leave to those who work here. The grant of three weeks' annual leave, which these officers have enjoyed previously, is being safeguarded for them in the future by the Bill, and it will become a rule of the road, legally, in the Act, in the event of the Bill becoming law.

Generally, and in some detail, that explanation covers the main provisions in the measure. In addition to what I have already said on the point, perhaps I should say that the appropriate parliamentary authority in each case will be the President of the Legislative Council in regard to the officers of the Legislative Council; the Speaker of the Legislative Assembly in regard to the officers of the Legislative Assembly; the chairman of the Joint House Committee in regard to officers of Parliament of that committee; and the chairman of the Joint Printing Committee with respect to the officers who are concerned under that heading.

Mr. Bovell: Is there any determination about hours?

The PREMIER: No. I move—

That the Bill be now read a second time.

On motion by Hon. D. Brand, debate adjourned.

#### **BILL—COUNTRY AREAS WATER SUPPLY ACT AMENDMENT.**

Returned from the Council without amendment.

#### **BILL—STATE TRANSPORT CO-ORDINATION ACT AMENDMENT (No. 2).**

##### *Second Reading.*

Debate resumed from the 3rd September.

MR. OWEN (Darling Range) [2.47]: The member for Avon Valley when speaking to the Bill said that he knew very well where the members of the Liberal Party stood, but was not sure where the members of the Country Party stood.

The Premier: Who said that?

Mr. OWEN: The member for Avon Valley. Lest there be any doubt as to my opinion on the Bill, I wish to address a few remarks to the House on this occasion. I am vigorously opposed to the measure because I think it is drastic and will have a bad effect on primary producers in practically all parts of the State.

Incidentally, it does not affect my electorate to any great degree because I think that the goods produced by all the primary producers there come within those enumerated as allowed to be carted by the primary producer; and most of the area comes within the 20 mile limit, so they can back-load all the requisites they need. But the Bill affects other parts of the State and I think the very principle of it is going to have serious repercussions. As members know, several amendments are proposed in the measure and to some of them we can agree, but undoubtedly the one which is going to cause such a great deal of havoc is the amendment to the First Schedule.

Primary producers have been given a concession and they can cart most items of primary production to market and to port; and they have also had the privilege of being able to back-load any requisites used in their households and in the production of their goods. Primary producers have greatly appreciated that privilege. But in one fell swoop, all that back-loading is to be cut out although in the aggregate I doubt whether it will have any great effect on the revenue of the railways; it will certainly be very hard for the primary producer.

First of all, he must have a truck of some sort to do his carting around the farm; he has to license that truck. In many instances, particularly in regard to stock that is carried in the South-West and the lower South-West areas, rail transport is not always convenient. Stock sent by rail certainly would not arrive at the market in the same condition as they left the farm—they would lose condition. In addition, a farmer has to maintain his truck to enable him to cart stock to market, and it seems only reasonable, therefore, that he should be permitted to back-load some of his requisites.

That appears to be one of the troubles of the railways; all cartage is one-way and the railway people say that it does not pay.

The same thing applies to a primary producer. If all his cartage is one way, and the truck has to be taken back to the farm empty, it will not be a payable proposition. I also doubt very much whether the railways could handle all the cartage of stock. Even if the railways could transport it to Midland Junction, I think the facilities for unloading at the abattoir would be severely overtaxed and there would be chaos at that centre.

I feel sure that the Minister for Transport appreciates how much the carting of stock by road is helping the railways in what would be a gigantic task if it had to carry all the stock traffic offering. It will certainly be very awkward for primary producers if they have to return to their farms with empty trucks, particularly as so many of their requisites would have to be sent by rail. Firstly, farmers would never know when these goods were arriving because the railways have been notorious for their inefficiency and lackadaisical way of handling goods, particularly the smaller items.

Some seem to get lost in transit somewhere or other and then turn up many days late at their destination. That greatly inconveniences country people, primary producers in particular, because on many occasions they go to the railway station only to find that their parcels have not arrived. They have to travel back to their farms and then come in to meet the next train. So I suggest that the Minister could have another look at that particular part, because he ought to realise the difficulties that he will be putting in the way of primary producers.

The Bill also takes off the list of goods which may be carried the items of honey and beeswax. If the Bill is passed, apiarists will be able to cart their hives and requisites about but they will not be permitted to cart honey and beeswax. It is paradoxical that if they cart their honey in the comb in the hive, they can cart it about anywhere they like; but that would be a most inconvenient way of taking their honey to market. In the past they have been permitted to cart their honey in drums and tins and to move about the countryside fairly freely with their hives and equipment.

If in the future they are to be forced to cart their honey to the nearest railway siding, it will be most difficult for them because these people move around the country quite a lot. They place their hives in a certain place for a week or two and then overnight move them anything from 10 to 100 miles away. They may have ordered drums for their honey to be delivered to the nearest railway station and if there is any delay, the extracting process is held up. They would be forced to wait in that locality for several days—maybe a week or more—longer than they anticipated, and thus they would lose that part

of the honey flow which might have been in full swing in another district some miles away.

Under the present set-up they can use their trucks, with all the extracting equipment on board, including the drums for the honey, and once the honey has been extracted, they can take it direct to the market. The delay in getting their honey to market might have serious repercussions on its sale because honey varies in quality when taken from the nectar of different flora. Frequently, a particular type of honey is needed to blend with another to enable the apiarists to sell that honey. Also, as regards the export market, it is often necessary to get the honey to the metropolitan area at short notice and make it available for export overseas. It appears to me that this curtailment of the cartage of honey and wax will be a serious blow to the apiarists.

Hon. A. F. Watts: And produce about 7½d. to the railways.

Mr. OWEN: It certainly will not produce a great deal of revenue for the railways, and it will be most inconvenient to the beekeepers concerned. I mentioned previously that under the Bill added powers are given to the Transport Board to stop all cars or vehicles instead of those which were known before as public vehicles. I think we all know from experience that the Transport Board has been very arrogant in the use of some of the powers it already has, and I do not like the idea of giving it more and more power.

The Minister for Transport: Would you like to give one example of that arrogance?

Mr. OWEN: I can tell the Minister some stories of what has happened along the road. Admittedly, individual inspectors were concerned but they have not been at all co-operative or courteous to some people.

The Minister for Transport: You said "stories." Are they second-hand or tenth-hand?

Mr. OWEN: They did not happen to me so they are not first-hand.

The Minister for Transport: That is what I thought.

Mr. OWEN: They are second-hand, but I have heard them from people who do not normally exaggerate a great deal. The Act, of course, is to co-ordinate all transport; but over the years, and particularly now on the Minister's say-so, it is to protect the railways. And I think that is altogether wrong. I think that the railways, particularly as millions of pounds have been spent on them in the postwar years, should be getting to the stage where they can look after themselves and provide a service which can compete with road transport.

The more we shelter the railways, the more they are apt to sit back and take it for granted that it is their right to have all goods placed in their lap to be transported from one place to another. I believe that if the people in the railways were made to realise that they have to be on their mettle to get the traffic that is offering, they would make much better progress than they are doing at present. They should also be made to realise that it is their job to build up goodwill among their clientele. Instead of taking things as they come and dealing with them as they think fit, they should strive to please the people. Their whole attitude is one of "take it or leave it." That is the wrong way to go about it.

The department should have a better public relations branch to show that it is capable of carrying the goods, and if that were done, I am certain it would get far more patronage than it does at present. I must point out also that there is a great deal of room for more efficiency and costs could be reduced in many ways. Only last week I saw an example of this. I happened to be near the Maylands railway station where there was a gang of men relaying a track and putting in an extra line in the station yard. I think the gang comprised about six or seven men. They were all working, at least they were all moving about and not sitting around and resting on their shovels.

The point that struck me very forcibly, however, was that the methods they employed to put sleepers in seemed to be most old-fashioned. One man would hold the sleeper up with a bar while the other would lever in some ballast and bits of dirt and then this would be tramped in with a shovel handle. This method of laying sleepers must cost many pounds. Surely there is a more modern method which could be employed to carry out this work! The department seems to adopt methods that were used many years ago. This applies in many cases on our railway system. No attempt seems to be made to bring the system up to date. I think that in this direction there is room for many thousands of pounds to be saved during the year. If the people administering the department would look for small items throughout the system, they would find many ways of saving money.

I said that the idea seems to be to protect the railways, but we have heard quite a lot about the closure of certain railway lines. I do not know whether Darling Range is fortunate or unfortunate at the moment because it does not have a railway running through it. There is a railway line but no traffic has gone over it for many years. There has been quite a lot of agitation, however, to have the line reopened and many people would like to see the railway running once again.

On several occasions I have made representations for this rail service to be restored, but without much effect.

To give members an idea of the "couldn't-care-less" attitude adopted by the Transport Board, I would like to quote part of a letter addressed to me on the 18th January last. After dealing with the complaints made in regard to bus services to take the place of the old railway service, the writer, who was the secretary of the Transport Board, summed the position up as follows:—

If further pressure is put on Beam Transport Ltd. the company will snap. I cannot see for one moment the restoration of the rail service, and in view of the attitude of the Government to unprofitable rail services generally, of which you have knowledge, I think you will agree with me.

This is the prize piece.

If, therefore, Beam has to discontinue operating, a moral obligation will fall on the Government to provide a service. As no buses are available, and even if they could be obtained lack of finance would preclude the acquisition of anything more than sufficient for a skeleton service, I am inclined to the view that the Hills residents would be well advised to restrain their complaints and make the best of the service they already have.

It is a very poor outlook for the Transport Board to write a letter of that nature, indicating that we are lucky to have the facilities that we possess and that if we are not careful we might quite easily have something much worse. That should not be the attitude of the board. Surely it is there to provide better services for the people!

The Minister for Transport: At what price? The private bus operator is not in a position to run at such a terrific loss as is the Government railways.

Mr. OWEN: That may be so, but at one time the Government had the railways running together with a railway bus service and a Beam bus service. There certainly was not enough traffic to justify these three services. Arrangements were then made for the Beam bus service to take over—whether it was subsidised or not, I do not know—but it has certainly not given good service to all parts of the district, and particularly to those near the railways. It is in regard to that matter that my complaints were made.

The Minister for Transport: In other words, socialistic services were better than privately-operated services.

Mr. OWEN: In this case the railway service was better than the rail bus service and the Beam service for this particular area. I am not complaining about the



service given by the Beam bus company, but of the service to the areas adjacent to the railway line.

With the additional powers given to the Transport Board to stop all cars and vehicles, one would have thought that an army of inspectors would have been required, though the Minister told us in reply to a question it was not anticipated that any more inspectors would be employed. I think that was the way he put it. One naturally wonders why, because while the public vehicles would form only a very small part of the total traffic, under the provisions of this Bill the Transport Board has power to stop all vehicles and it seems to me that that would throw a lot of extra work on the present staff.

Looking through the Act as it stands at present, it would appear that there might be a way out; and, of course, the Minister has possibly considered it. Section 49 of the present Act, when amended, will read:—

For the purposes of ascertaining whether the provisions of this Act or any regulations are being contravened, any member of the Police Force, or any person authorised in that behalf by the Board, in writing (whether generally or in any particular case), may request the driver of any vehicle whether it is or is not a public vehicle to stop the vehicle and if it is a public vehicle to search it, etc.

It would seem that the Minister is relying on Section 9 (3) of the present Act which says—

The Board may, with the consent of the Minister administering any department of the public service, or the Main Roads Act, 1930, make use of the services of any person employed in that department or under the provisions of the said Act for the purpose of carrying out the provisions of this Act.

It appears that the Transport Board can call on any public servant, once the Minister gives his consent, and that person can be used in any capacity to carry out the purposes of the Act. It seems to me that we are fast arriving at a police state, in which civil servants will be encouraged to become informers and pimps.

The Minister for Transport: Do not spoil a good speech! That provision has been in the Act for 25 years.

Mr. OWEN: I know, but things are getting that way where there may not be any more inspectors appointed. It is possible that these people will in future be supplied with a uniform comprising a black shirt, a blue shirt or a brown shirt, as the case may be, with, of course, the inevitable jackboots.

The Minister for Mines: Have you been to any movies lately?

Mr. OWEN: No.

The Premier: That is the trouble.

Mr. OWEN: Things seem to be moving in that direction, and from the attitude of the Minister in this House, he seems to be following the pattern set by that little fellow who was once a paperhanger in Germany.

Mr. Nalder: The Gestapo.

Mr. OWEN: He was in control of the Gestapo. To my mind, we are being regimented and, if this continues, the civil servants will shortly take over, and we could be subjected to no end of pinpricking; apart from this, of course, we could always be put in our place by this army of regimented civil servants.

The Premier: I have heard some rate-payers in the Kalamunda Road District talk the same away about the local road board.

Mr. OWEN: I do not quite see the point, but if the Premier would care to enlarge on his interjection, I might be able to explain the position to him. More power seems to be given to the Transport Board under this measure, and I do not think that is for the general good of the country. Accordingly, I oppose the second reading of the Bill.

HON. L. THORN (Toodyay) [3.13]: The Government is very anxious to force the people back on to the railways. As previous speakers have said, the action contemplated by the Government will increase the expenses of the railways and not in any way improve their financial position. This problem has been tackled from the wrong end. It is forcing the producer back on to the road. Mention has been made of the road transport of primary products. There is no doubt whatever that that is the only form of transport for primary products, for the less one handles such freight as cattle, fruits, vegetables and so on, the better the condition in which they are likely to arrive at the market, and the better the return to the grower.

Another point is that the Government appears to be pushing its head against progress. Undoubtedly motor transport is the best means of transport, and the most serviceable. The Government is trying to defeat motor transport and build up the railways. It would be a far better proposition if the railways were examined closely, and where necessary the lines were kept running. On lines where no freight is offering, the services should be dispensed with. It seems that the Government is tackling the problem from the wrong direction.

Greater consideration should be given to the metropolitan and suburban areas. I would like to draw the attention of the

Government to this aspect: It relates to workers employed by the Government who are refraining from using the railways to travel to and from work. If one went to the Midland Junction workshops today one would not find parking space for his car. Half the workers in that establishment own motorcars. I am not against that. Why should I be? The point is that many of the employees in the workshops who previously had used the railways as the means of transport, are now travelling to and from work in the cars possessed by fellow workers, and contribute towards the cost of running those motorcars.

The Minister for Lands: Are you in favour of unrestricted road transport?

Hon. L. THORN: I am making the speech. I do not want any help from the Minister because I do not think he himself knows what he is in favour of.

The Minister for Lands: You do not like answering questions.

Hon. L. THORN: I am not in favour of unrestricted road transport.

The Minister for Lands: What are you in favour of?

Hon. L. THORN: I am trying to tell the Minister. Any person who is in favour of unrestricted road transport needs to have his head examined. I am trying to assist the Government. Many workers employed by the Government who could be using the railways to travel to and from work, are not doing so. They are travelling by omnibuses or motorcars. I realise that the question before us has very great political significance, and the Government does not desire to upset the workers in the metropolitan and suburban area.

The Minister for Native Welfare: Many of the motorcars at the Midland Junction workshops come from the Toodyay district.

Hon. L. THORN: I am not complaining about that. The Government wants to retrieve for the railways, the lost passenger and freight traffic. I am offering a suggestion to show one way by which that can be done. The proposition offered by the Government is "cock-eyed". The Transport Board and Governments of the past had extended privileges to primary producers. Those privileges were a great help to them, but now it is intended to force them back to the railways. In this respect, I consider that the Government has a job in front of it. It should pay a little more attention to rail passenger transport in the metropolitan and suburban areas. The member for Fremantle would know that most of the lumpers possess motorcars and use them for going to work, but in that case they do not affect the railways because there is no passenger rail transport to the wharves.

Hon. J. B. Sleeman: Then what are you complaining about?

Hon. L. THORN: I am not complaining. I am trying to put up a case to the Government. I have listened with interest to the many speeches that have been made on this measure, and some very helpful suggestions have come from this side of the House. Both the Minister and the Government appear to be fixed in their policy. What the Government now contemplates can only be a temporary measure; the Government can do what it likes but it will not be able to defeat progress and the advance in science. It will not succeed in this direction. It will be beaten.

My suggestion to the Government is that it look around the metropolitan and suburban areas in regard to rail passenger transport and put that side of the question in order. I have made a special point of going to the railway track at Armadale, sitting in my car and watching the one or two passengers who alight from the trains coming from Perth. Sometimes the coaches are empty. When the McLarty-Watts Government was in office, it saw the necessity for retrenchment of staff; about 500 railway employees were retrenched within a small radius of Perth, but as soon as the present Government came into office, it re-engaged them.

The Minister for Transport: On the contrary, your Government increased the number by several thousands.

Hon. L. THORN: That is not so. It increased the number employed on the permanent way and in other directions.

The Minister for Transport: You practically did no work on the permanent way.

Hon. L. THORN: The Minister has not grown up. He does not know.

The Minister for Transport: You have not grown up yet.

Hon. L. THORN: That might be the Minister's opinion. The point is that he does not know. Before the Government tries so strenuously to take away the privileges which had been granted to the primary producers over the years, it should first study the problem of metropolitan and suburban passenger rail services.

I repeat that there is only one way to market stock and perishables, and that is by road transport. I was at the Midland Junction abattoir one day when a consignment of pigs arrived during very hot weather. One would be amazed at the number of dead pigs that had died of thirst and heat and were pushed out of the railway trucks. Rail transport is not a fit way of conveying stock.

Hon. J. B. Sleeman: I have seen dead stock taken out of motor-trucks.

Hon. L. THORN: Not from motor-trucks.

Hon. J. B. Sleeman: I have seen dead sheep and lambs as well being removed from them.

**Hon. L. THORN:** The hon. member must have been mistaken. He must have been looking at railway trucks. I am in full accord with the opposition to this measure.

**MR. POTTER (Subiaco) [3.22]:** I rise to my feet because so much mention has been made of the metropolitan area in relation to this measure. I presume that the Government has something in mind regarding the metropolitan area, under which we will be as severely affected as the primary producers. I point out to members opposite that with the concentration of population in the metropolitan area, together with the growth and spread of housing projects and industrial establishments away from the vicinity of railway lines, it seems to me that another scheme in regard to passenger transport must be evolved in that area.

When one looks at this question realistically and practically, one cannot fail to realise that only 10 per cent. or so of the people in the city reside near railway lines. Large housing projects have been established at Hilton Park, Osborne Park and elsewhere, away from railway lines. I am given to understand that some measure has been devised to overcome the problem in this respect.

Regarding farming districts, emphasis has been placed on cheap transport of superphosphate and wheat by the railways. In the past the Railway Department had a monopoly of that traffic, but these cheap freights will in future be compensated by the higher freights on goods which today are not being carted by the railways. The Government is forced to take very drastic steps to overcome some of the difficulties that have existed in the past. I understand that the transport problem is world-wide, and attempts have been made in many parts of the world to bolster up the railway systems. I presume that from time to time measures will be introduced into this House to improve the transport position until a satisfactory system has been evolved. At present, the finances of the State are in such a precarious condition that drastic measures in relation to transport are called for, and neither the country nor the metropolitan areas will get off scot-free. I support the measure.

**MR. COURT (Nedlands) [3.25]:** I want to express briefly my opposition to the Bill.

The Minister for Transport: Not all of it.

**MR. COURT:** To the important parts of the measure. If one looks very hard, there might be one or two clauses that have no great significance in the State transport co-ordination system and with which one could agree. I would rather see this measure go overboard than have any truck

with the main provisions contained therein. To me this measure represents a shattering of the hope that a new era would be brought about in railway administration and operation in this State.

The Minister for Transport: There will be that also.

**MR. COURT:** I am pleased to have the Minister's assurance on that point. This does not give the necessary atmosphere for a change in the administration and operation of the railways. I would have thought the new and desirable approach would have been for the railways to go all out to attract business in competition with road transport, be it owner or contractor-operated, and to attract business to the railway system on its merits.

Other parts of the world have proved that this can be done, but the Government will not achieve that in this State by browbeating the people into using the railway system. That will only serve to build up a sort of resentment which will grow and grow. It does not matter how much the Government may legislate in these matters, because there is always somebody trying to evade the legislation. One of the best methods of securing co-operation is to legislate on as light a rein as possible. For that reason the measure is a retrograde step. It also indicates a degree of vindictiveness on the part of the Government towards the primary producer.

The Minister for Transport: I could expect that from the member for Vasse, but not from you.

**MR. COURT:** Why should there be any difference between me and the member for Vasse?

The Minister for Transport: Does a person of your standing think that the Government is taking steps on the basis of vindictiveness? You are not suggesting that honestly?

**MR. COURT:** I did not accuse the Government. If the Minister desires me to go into detail, I shall trace the history of this matter. Immediately on the announcement of the rail closures, the first outburst against those measures was not so much from the primary producers as from the railway employees. They were the first to react in a public way, and to make public protests. They complained bitterly to the Government. They were given certain assurances that there would be a tightening up in the administration of the State Transport Co-ordination Act with the object of forcing more people to use the railways.

The Minister for Transport: That whole matter had been considered even before moves for the discontinuance of certain railway lines were submitted to Parliament.

**Mr. COURT:** The Minister is anticipating the next point I wish to make. This Bill indicates a state of mind. Not only is it the actual letter of the law one has to take into account, but also of the state of mind. This measure foreshadows a severe tightening up of the administration of State transport co-ordination in Western Australia.

**The Minister for Transport:** No.

**Mr. COURT:** The Minister says "No," but I cannot see how he can divorce one from the other. The fact that the Government, following representations from the railway employees calling for tighter control, has seen fit to bring down legislation in addition to the powers it already possesses, indicates to me a state of mind which desires to force people to use the railway system.

**The Minister for Transport:** You are wrong.

**Mr. COURT:** Perhaps the Minister, when replying, will indicate his reasons for saying I am wrong.

**The Minister for Transport:** Half a dozen times I have told members of this House that a measure such as this and the closure of certain lines, were only part of an overall plan. Each one in itself is not complete.

**Mr. COURT:** Does it not follow from the fact that the Government wanted to take additional statutory powers that its thinking was along the lines of more severe administration of the State Transport Co-ordination Act?

**The Minister for Transport:** Not more severe.

**Mr. COURT:** The Minister has by interjection to previous speakers—and I think, in particular, to the member for Murray—indicated that the Government already has certain powers, if it wants to use them. I interpret this legislation as a notice, in effect, by the Government to the people of this State that it proposes to tighten up the administration of its existing powers, to give fewer concessions, and to add further powers to those it already has. If the Minister can demonstrate to the contrary, I will be amazed.

**Hon. D. Brand:** This Bill will force people to use the existing railways.

**The Minister for Transport:** As the existing law forces people to use the existing railways.

**Hon. D. Brand:** If the existing law forces them to do so, why bring this legislation down, too?

**The Minister for Transport:** It forces everyone except one section of the community at the moment.

**Mr. COURT:** I think the Minister is only confirming my suspicions and fears in the matter, that there is going to be

a change of heart and mind towards the administration of the State Transport Co-ordination Act.

**The Minister for Transport:** And railway matters generally, and things pertaining thereto.

**Mr. COURT:** One of the points—not the only one—in the changed policy will be the forcing of more people to use the railways—a system which they have found either inconvenient, or uneconomic, or inefficient in the past, or they would have used it. Most people will suffer some inconvenience if they are going to save money thereby and if it is going to be more economic.

It follows that when any Government, of whatever political colour, tries to tighten the screw in respect of control, the inspection side is automatically strengthened. The Minister has said that there will be no more inspectorial staff engaged as a result of this Bill. I do not see how he can commit either this Government or future Governments to that undertaking. Does it not follow that the moment more controls are imposed on more people, and particularly a large section of the people, it is imperative to tighten up the control system? One of the amendments in this Bill is to do just that—to give greater powers of inspection to inspectors.

**Hon. D. Brand:** They sit in their cars and make you feel eerie.

**Mr. COURT:** So we find that the hand-maiden of controls is a tightening up of the inspection system.

**The Minister for Transport:** I think you are unhappy and disappointed that I did not announce there would be additional inspectors.

**Mr. COURT:** I am not unhappy about it.

**The Minister for Transport:** I think it is a great disappointment to you and to people on your side.

**Hon. D. Brand:** If you are going to police the Bill—

**The Minister for Transport:** No part of the Bill provides for any more staff than at present.

**Mr. COURT:** But the Minister has indicated the difficulties being experienced by the inspection staff in inspecting vehicles.

**The Minister for Transport:** No. In what way?

**Mr. COURT:** The Minister has tried to give them extra powers of inspection—powers to stop vehicles.

**The Minister for Transport:** That is so.

**Mr. COURT:** If there is a tighter inspection system imposed on a brand-new section of the community than what has been in existence for many years, it follows that there will have to be more men to do the job.

The Minister for Transport: You happen to be wrong, that is all.

Mr. COURT: The Minister says he has no intention of appointing additional inspectors. I do not see how that can be avoided. Once we crack down on controls and desire to have the law obeyed, there must be a greater increase in the inspection staff with the passage of time.

The Minister for Transport: You will convince yourself of that if you keep on. You have said it a dozen times, even though it is wrong.

Mr. COURT: I am already thoroughly persuaded.

The Minister for Transport: You are like the woman who had her first look at the giraffe and said she did not believe it.

Mr. COURT: I will accept the Minister's word concerning the experience. However, I do not want to labour the point. But I am certain that it is a retrograde step, and will breed enmity in the community, particularly on the part of those who have had this very necessary concession for many years. Furthermore, I can see a great increase in the cost of administration and a great increase in the number of irritations to which people are subjected through the increased incidence of inspection, whether by the same number of inspectors or a greater number. I oppose the Bill.

**THE MINISTER FOR TRANSPORT** (Hon. H. E. Graham—East Perth—in reply) [3.35]: In view of the statements by members of the Opposition of their intention to vote against the second reading, I think I should emphasise that there are quite a number of provisions in the Bill which may be of lesser importance and consequence than some to which they are opposed, but which are nevertheless quite necessary for a number of reasons. I would therefore ask them, with all the reservations they like, to vote for the second reading and then, with all the vigor they care to command during the Committee stage, assail those clauses to which they find themselves opposed.

Mr. Nalder: What would you have done when you were a member of the Opposition?

The MINISTER FOR TRANSPORT: That is so long ago, that I have forgotten.

Hon. D. Brand: At the rate you are going, it will not be long before you have another chance.

Mr. Heal: Would you bet on that?

Hon. D. Brand: I am not a betting man.

Mr. Heal: That is just as well.

The MINISTER FOR TRANSPORT: The Leader of the Opposition and others draw some sort of comfort from the fact that they believe that very shortly there

will be a change of positions so far as the seating in this House is concerned. However, I remember that three years ago, this Government was tottering, with a very slender margin, but there was an election; and this Government has now a comfortable majority. However, let us not endeavour to hazard a guess at the results of future elections.

Hon. D. Brand: Do not let us kid ourselves.

Hon. Sir Ross McLarty: Mr. Gair had a comfortable majority, too.

The MINISTER FOR TRANSPORT: I do not think it is pertinent to this Bill.

Hon. D. Brand: No. Who introduced the subject?

The MINISTER FOR TRANSPORT: My impression during the debate has been that Opposition speakers have been most uncertain of themselves, because of their utterances. Perhaps I should first of all illustrate what I mean, by reference to the remarks of the Leader of the Country Party. Because of his own inherent qualities, and also because of his legal training and his long experience in Parliament, we have come to expect of him arguments at least reasonably sound, even though we might have some disagreement with his point of view. But on this occasion he seemed to be groping for something of substance on which to build a case. As a matter of fact, I was so appalled that I appealed to the Premier, who was sitting beside me, as to what he thought of the state of health of the Leader of the Country Party.

Hon. J. B. Sleeman: What did he say?

The MINISTER FOR TRANSPORT: He pointed out what I am pointing out now—that it was so obvious that the Leader of the Country Party did not have a case that he needs must create something and then set about destroying that fictitious case in a manner such as he is capable of.

Mr. Nalder: Your statement makes us on this side of the House wonder as to the state of your health.

Mr. Roberts: As a matter of fact, you don't look too well.

The MINISTER FOR TRANSPORT: I will look after the state of my health. The Leader of the Country Party started to build his case with a false statement which, incidentally, received prominent headlines in the report in "The West Australian." Let me refresh the memories of members in connection with what he said. It was this—

At the outset I would like to say that it is my opinion that the Minister, by what he has said in connection with the introduction of the measure, stands condemned by his own words. He has evidenced to us as clearly as possible that the department has not

been able to police the provisions of the State Transport Co-ordination Act, 1933-56. He has disclosed to us, if the statements he has made are founded on fact—and I have no means of contradicting that—that the provisions of the Act have been broken on many occasions to the knowledge, apparently, of the Transport Board; that many tons—I think he went so far as to say thousands of tons—have been carried contrary to the State Transport Co-ordination Act upon the roads of this State in the last few years, and that in consequence, to use his own words, the railways have lost very much revenue.

Mr. Nalder: Is that "The West Australian" report you are reading from, or the current issue of Hansard?

The MINISTER FOR TRANSPORT: Nowhere in my speech did I make any reference to unlawful transportation by farmers or anyone else.

Hon. A. F. Watts: Look at your speeches of last December on the railway closure motion!

The MINISTER FOR TRANSPORT: That may be so. I am discussing the question of my remarks on the introduction of this measure.

Hon. A. F. Watts: I am entitled to use your remarks on other measures that have a bearing on this one.

The MINISTER FOR TRANSPORT: I would be prepared to check on that. The whole case in connection with the necessity for an alteration of this statute is based on the fact that the farmers today—and only the farmers, of all the people of Western Australia—have concessions which are denied to any and every other section of the community; concessions which were granted to them during the days of the depression, when governments of all and any political colour extended as many concessions as they possibly could to the farming community because of the plight with which they were confronted.

Hon. A. F. Watts: Have you been able to police the carriage of wool by road?

The MINISTER FOR TRANSPORT: I think so.

Hon. A. F. Watts: I think that the statistics would not bear you out if they could be revealed. That is why we asked so many questions about the Transport Board giving us a report.

The MINISTER FOR TRANSPORT: I do not think there is any necessity to go over that again. Obviously the board has not the details of transport arrangements over which it has no control. I think that speaks for itself. Therefore it would not have any idea whatsoever as to what had been transported. For instance, as is known, within a radius of the metropolitan area, it is possible to transport anything

and everything without a permit or licence being required; and if the Leader of the Country Party asked me or the chairman of the Transport Board what was the volume of goods transported by road in the metropolitan area, we would not have a clue.

Hon. A. F. Watts: If you do not know that, you have no right to say that the railways are losing thousands of pounds in that way.

The MINISTER FOR TRANSPORT: Sufficient is known in respect of certain items to enable us to say that with absolute certainty, which brings me to the point that some members on the other side have pretended that if this Bill becomes law, it will be a major calamity; that the impact upon the primary producers will be so severe as to result in all sort of imaginable and unimaginable things. On the other hand, we have speakers on the other side informing us that this will mean so little to the railways that all the Government is doing is irritating the farmers without any appreciable or worthwhile benefit to the railway system or its finance.

*Sitting suspended from 3.45 to 4.6 p.m.*

The MINISTER FOR TRANSPORT: Although I have said this on previous occasions, I feel the time has arrived when at least some members should make up their minds whether they want railways or whether they do not. The other evening we heard from the member for Avon Valley that the farmers along the affected Brookton-Corrigin line agreed that the Government took the right course in closing down that railway. This afternoon we heard from the member for Toodyay that road transport is superior to rail transport so far as the farming community is concerned.

Hon. L. Thorn: For perishables only.

The MINISTER FOR TRANSPORT: No, the statement was not qualified. I contrast that statement with those that were made several weeks ago and the votes that were then recorded. I know that we all tend to play the game of politics from time to time, and when sitting on the Opposition benches I was perhaps not at the end of the list in that regard. However, I suggest, very seriously, that there are times when there must be some regard for the welfare of the community which charges us with the responsibility of governing and administering the affairs of the people. Unfortunately, it would appear that a true sense of responsibility develops only when this country is threatened by an external enemy. But surely when there are crises developing, it is our responsibility to look at the overall situation rather than view the question from an individual or parochial point of view.

The Government, because of the trend of railway finances, has been compelled to take certain steps and is contemplating other steps which will prove most unpopular with members for the public. But that does not say that the steps are not reasonably correct in view of the circumstances. Surely nobody can contemplate with complacency a continuation of the trend which has been manifest particularly since the metal trades strike in 1952, and which has become all the more manifest with the tremendous growth in the number of vehicles which are now on the road.

Those factors are all part and parcel of a trend which is perhaps a natural development. However, at the same time, the finances of the State, because of that trend, are being hit so hard that, unfortunately, it is having a serious effect upon the State generally. The other evening the Treasurer introduced the Loan Estimates. If members do not recall, they will realise, by referring to the papers then distributed, that this financial year there is a sum of not less than £1,250,000 which should be made available for expenditure on public works but which has had to be devoted to meeting a portion of the deficit incurred in the past 12 months; a deficit which assumed the proportions that it did largely on account of the impact of railway finances.

What member in this Chamber has not some works he would like undertaken whether it be on schools, hospitals, water supplies, drainage or anything else? Accordingly, what member would not like to see £1,250,000, or a portion of it, spent in his district? However, as the whole financial position is worsening, I put it to members quite seriously that they themselves, their districts and their electors will suffer unless some bold steps are taken to lessen the terrific impact railway finances are having upon the capacity of a Government to govern.

Mr. W. A. Manning: State trading concerns do that.

The MINISTER FOR TRANSPORT: No, they do not do it, unless we include the railways in that category. As members are aware, certain lengths of railway line have been closed in so far as the operations on those lines are concerned. Through this Bill, an endeavour is being made to bring a greater volume of business to the railway system.

Mr. Roberts: Giving it a monopoly.

The MINISTER FOR TRANSPORT: It is not intended to give the railways a monopoly. In view of that interjection I must return to the point I made earlier, namely, that there is at present an inconsistency, in that one section of the community—one section alone—enjoys

special privileges over and above those enjoyed by other sections. It is a privilege that was granted to them when they were beset by the depression and the circumstances surrounding the granting of the privileges to that section of the community are not in existence at present. Even if this Bill becomes law, that same section will still enjoy privileges far in excess of those enjoyed by any other section of the community.

This is a matter concerning the financial position of the State. On other occasions I have dealt with the question of the need for greater efficiency in the railways. That has been said so often in the past and no doubt it will be said on many occasions in the future. Nevertheless, I think that there are portents and evidence that the Government, however much there might be disagreement on this point, is taking certain steps to deal with the railway position. It is an easy matter in debate to suggest that there should be greater efficiency; that the railways should be run as a business concern and conducted on an economic basis in order to compete effectively with road transport. If that were done, the railways would be charging approximately 6d. per ton mile for grain and for superphosphate. At present the railways are transporting those commodities, which represent more than one-third of the entire freight carted by the railway system, for less than 3d. per ton mile.

Mr. Hearman: Not less than 3d. per ton mile.

The MINISTER FOR TRANSPORT: Yes, less than 3d. per ton mile. Regard must be had for the telescopic system of freight charges. Further, to be truly competitive these commodities should be carried at a charge in the vicinity of 6d. per ton mile. Perhaps there would be need, in some cases, of cheaper freight, but no private concern would transport one-third of its goods for something in the vicinity of half the cost of transport.

As these concessions are being granted to the farming community, surely it is only reasonable to expect that there should be greater patronage on their part in respect of some other goods; goods which, in the main, come within the higher freight category—or is it suggested there should be a flat rate? That is, an identical charge per ton mile of all goods produced. That would, I think, without question, hit the farmers more seriously than any other suggestion which could be made. Therefore, if we analyse those points that are spoken of in general terms, it is found, after little thought and research, that they are completely impracticable.

It is not my intention to deal with very many of the points raised, because no doubt they will be stressed during the debate on the various clauses as they arise in the Committee stage, if it be the wish of this

Chamber that the Bill go so far. When introducing the measure I had something to say with regard to the back-loading of goods on the part of farmers who have brought certain of their produce to the metropolitan area, and the effect this had upon businesses in the country districts.

If I am correctly informed, because of this trend, a store which has been in existence, or was until recently, at a small place called Ardath, is shortly to close—almost certainly that is contemplated—because of the habit of farmers from that district proceeding to a large town some distance away or coming to Perth for the purpose, amongst others, of making their purchases. I was informed there was a likelihood of members of the Opposition blaming the closure of a railway line for the fact that that store might go out of existence, but the facts are as I stated—the habit of the people in that district of travelling to other country centres or to the metropolitan area to make their purchases, to such an extent that there is no longer sufficient business to warrant the continuation of that store, is the explanation.

Hon. D. Brand: Is it a grocer's store?

The MINISTER FOR TRANSPORT: Yes.

Hon. D. Brand: They would bring them back in the boots of their cars, wouldn't they?

The MINISTER FOR TRANSPORT: Yes, and therefore it has the effect of killing enterprise and centralising on Perth or a large town. I have a letter here, or part of it, with no address at the beginning or name at the end, but it was addressed to the Premier, and I think it speaks for itself. The correspondent stated this—

Country storekeepers face bankruptcy if the Transport Act that allows farmers to back-load with all types of goods is not amended.

We have been placed under a terrible disadvantage inasmuch as we have to pay high railway freights while the farmer fills his car or utility or truck with groceries, etc., etc., that the country storekeeper usually carries. Is it any wonder that when we pay freight we cannot compete with Perth and every month our turnover decreases more, and we face bankruptcy.

Thousands of pounds every week are lost to the railways in freight by these farmers who show no loyalty to their railways and certainly no loyalty to their own country towns.

These trucks back-loading bring back goods for neighbours and in some cases bring back truckloads of stuff for their co-operative stores—it is not only farmers but some school buses go to Midland Junction on Saturday morning to dodge paying freight.

Hon. D. Brand: He is having a bit each way, this fellow.

The MINISTER FOR TRANSPORT: It continues—

It is to be hoped you will close the railways or amend the Transport Act and make the farmers as well as the storekeepers use the railways.

I am not suggesting that I endorse necessarily every word written in that letter, but I think it is a pointer to the fact that business people who are established in country centres are suffering because of this special dispensation available to farmers and not available to other people in the country or those who may be engaged in water supply or main roads projects, or engaged in the timber industry, in goldmining or any other type of mining in the far outback.

Mr. Hearman: All farmers are not on the same footing either. A lot do not get much out of it.

The MINISTER FOR TRANSPORT: No, but these facilities are available in the Act to farmers and to farmers only. It applies to beekeepers, but I do not know whether they are primary, secondary or in between. I was hopeful, when I first mentioned the matter of the country storekeeper, because the member for Murray appeared to agree with me, but several days later, when addressing himself to this measure, I found his views were on a different basis.

Not that this is particularly pertaining to the Bill, but I think I should make mention, so far as the member for Toodyay is concerned, of his claim that the McLarty-Watts Government got rid of 500 men and this Government has done nothing but increase the staff. I would point out to him, from official returns made available by the Railway Department, that during the time of office of his Government, the number of employees in the Railway Department increased from 10,026 to 13,030; that is an increase of 3,004.

Hon. L. Thorn: On permanent way.

The MINISTER FOR TRANSPORT: No fear! If the member for Toodyay had a memory, he would recall that on many occasions the then Minister for Railways, Mr. Styants, spoke at great length and with great force on what he considered to be the criminal neglect of the McLarty-Watts Government in spending millions of pounds on rollingstock, engines, carriages and trucks of various types, whilst virtually nothing was being spent on the permanent way.

Hon. Sir Ross McLarty: We could not buy rails, badly as we needed them.

The MINISTER FOR TRANSPORT: That may be so. I am not making a criticism of that Government; I am recalling to the memory of the member for



Toodyay the fact that, in contradistinction to what he stated, work was not performed on tracks at that time. Since his Government has been in office, because of certain circumstances which I do not intend to go into, something really worth while has been done in connection with the permanent way.

Hon. Sir Ross McLarty: Is the number of employees still increasing?

The MINISTER FOR TRANSPORT: No, the position is that between December, 1956, and the 30th June this year, there was a reduction of 472 employees. I think I indicated—if I may clear up this point—when a certain motion was before Parliament this year, that unlike the member for Moore, who wants to sack 2,000 or 3,000 employees, I said this Government would not sack any man on account of rail closures. I pointed out there was in the previous twelve months a turnover of 3,500 men, which is a terrific figure, but there it is. Accordingly, all that was required for a short period was that there should be not as many appointments to fill every position vacated, and without disturbing anybody from his job, the number employed by the Railway Department could be substantially increased, and that is what has happened.

Hon. A. F. Watts: You mean reduced.

The MINISTER FOR TRANSPORT: I thought I said decreased—substantially decreased. That, as I see it, is the position.

Mr. Court: There is one point I cannot understand. A lot of your argument is based on the fact that these concessions to farmers were granted because of depression conditions and that the economic position has now improved. I do not think that is a sound reason because of the complete change of methods of transportation, roads and better vehicles.

The MINISTER FOR TRANSPORT: That is so.

Mr. Court: Surely it should be considered in the light of these conditions.

The MINISTER FOR TRANSPORT: That applies to every section of the community.

Mr. Hearman: Every section of the community does not depend so much on transport.

The MINISTER FOR TRANSPORT: I have known the member for Narrogin for many years, as well as his father before him. The family name was known to me when I was a toddler, and I daresay that firm would, under present circumstances, with modern vehicles available, have appreciated an opportunity of using road transport for many of the commodities handled in that business; and that could be said of business near and far, large and small.

The position with regard to primary producers is that where great tonnages are involved, they are using the railways for a very obvious reason, which I gave earlier. It is where the lesser tonnages are involved that the trouble arises and I daresay that the average storekeeper would handle at least as great a tonnage of goods per week—probably more—spread over the whole 12 months, than the average farmer would in the conveyance of his goods, outside bulk goods, such as grain and super-phosphate. Therefore, any change there might be in transport facilities is of at least equal import to other sections of the community as it is to the primary producer.

However, the important fact is that there is a railway problem at the present moment; a problem which brings in its train a terrific impact on the finances of the State, and perhaps I can do no better in concluding than to stress the point of view that this year £1,250,000 less will be available for public works and suchlike because of the financial results of railway operations and if steps are not taken to correct the position, next year we could find an item on the Loan Estimates of £2,000,000 or £3,000,000 that should be used for public works which will have to be used to fund the growing deficit which the Grants Commission is not prepared to meet in full, as is the case this year.

Mr. Court: What you are trying to influence back to the railways are general freights as distinct from bulk freight?

The MINISTER FOR TRANSPORT: Yes.

Mr. Court: Do you think we are being wise in trying to deny the march of progress? Shipping is finding the same thing. Coastal shipping is finding it cannot get freights away from interstate railways.

The MINISTER FOR TRANSPORT: If we follow that to its logical conclusion, we should acknowledge this new and unquestionably efficient and convenient form of transport, namely road haulage, by eliminating entirely the provisions of the Transport Co-ordination Act.

Members will recall that in introducing the Bill I stated that nothing would give me, or anybody else I should think, more pleasure than to allow anyone and everyone to use whatever transport they wished, whether road, rail, sea or air. But unfortunately, because of our small population and long distances, it is not possible financially to sustain two or more forms of transport to serve the same areas. That is why we are brought more or less face to face with the position that we can have either road or rail. There is insufficient for both.

Where there has been very little patronage, it is a matter of road transport filling the function of rail services. But for the balance—where people or districts are

served by rail—because of the protests from country people that they want their rail services as they are so indispensable to them, we say that a greater proportion of goods should travel by rail in order that the rail service might be justified and in order that the finances of the State should not be so severely hit. We also say to those farmers, notwithstanding all these things which we are doing in the interests of the State, "You will still be the favoured few of the community compared with every other section throughout the length and breadth of Western Australia."

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

Ayes	25
Noes	17
Majority for	8

## Ayes.

Mr. Andrew	Mr. Lawrence
Mr. Brady	Mr. Marshall
Mr. Evans	Mr. Moir
Mr. Gaffy	Mr. Norton
Mr. Graham	Mr. Nulsen
Mr. Hall	Mr. Potter
Mr. Hawke	Mr. Rhatigan
Mr. Heal	Mr. Rodoreda
Mr. W. Hegnecy	Mr. Sleeman
Mr. Hcar	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Johnson	Mr. May
Mr. Kelly	

(Teller.)

## Noes.

Mr. Bovell	Mr. Nalder
Mr. Brand	Mr. Oldfield
Mr. Court	Mr. Owen
Mr. Crommelin	Mr. Roberts
Mr. Grayden	Mr. Thorn
Mr. Hearman	Mr. Watts
Mr. Hutchinson	Mr. Wild
Mr. W. Manning	Mr. I. Manning
Sir Ross McLarty	

(Teller.)

## Pairs.

Ayes.	Noes.
Mr. Lapham	Mr. Ackland
Mr. O'Brien	Mr. Perkins
Mr. Sewell	Mr. Mann

Question thus passed.

Bill read a second time.

## In Committee.

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

Clauses 1 and 2—agreed to.

Clause 3—Section 49 amended:

Hon. A. F. WATTS: At present the transport authorities have ample opportunity to stop vehicles. This provision, however, is to give them power to stop any vehicle and, having stopped it, to search it. I expressed the opinion during the second reading debate that the objection to the clause was that if any vehicle was found carrying unexempted goods, no matter how small the quantity, it could be classed as a public vehicle and in consequence would have to pay the licence fee set out in the Third Schedule.

I can see no other purpose for the amendment, in the terms in which it is framed, except an intention to act in the way I have mentioned. There does not seem to me to be any sufficient justification for a proposition of that nature, and I ask the Committee to vote against the clause.

Hon. D. BRAND: The Minister, when replying to the debate, made the very point that people came down from country centres and made their purchases. At the time he was referring to the effect this had on country stores. We can imagine people coming down in large cars—modern cars have a large capacity in the boot for carrying goods—and returning with groceries and other goods that would be prohibited if the Bill became law.

If the clause is passed, practically every vehicle could be stopped. Inspectors could be standing behind trees or sitting up in motorcars, and one would be almost afraid to go down a highway. Perhaps that is an exaggeration, but nevertheless this is the sort of legislation that leads people to ask, "Is it a law that we do not intend to police and which, by and large, is to be ignored?" I hope the Committee will throw out this clause. The existing Act contains sufficient authority to achieve what the Minister states he aims to accomplish in prohibiting the carriage of goods in certain vehicles.

The MINISTER FOR TRANSPORT: This proposal might, on the surface, seem frightening but, in fact, it is nothing of the sort. The police have the right to stop and search any vehicle and interrogate people in vehicles. While that is the law, people are able to move about quite freely. If there were a requirement that the police could stop only a car which contained a criminal, how would they know that there was a criminal on board unless they had power to stop the vehicle?

Hon. D. Brand: The cases are not comparable. We are talking of the transport of goods.

The MINISTER FOR TRANSPORT: A truck might have a dozen drums of fuel on it, but as the law stands at present, a transport board inspector has authority to stop the vehicle only if it is a commercial vehicle within the definition. Surely if this law is to mean anything, and there is a vehicle carrying goods in connection with which there is no general dispensation, he should have the right to check and see whether there is an appropriate licence. If such a licence exists the driver will, after a delay of about 30 seconds, be able to proceed on his way.

Hon. D. Brand: What vehicle, other than a commercial vehicle, would come within that category? I presume, trucks and utilities, but they are already provided for.

The MINISTER FOR TRANSPORT: No. The Transport Board informs me that the present section places the onus on the driver of any public vehicle to supply an inspector with information regarding his load and the Act defines a "public vehicle" as any vehicle which must be licensed under this Act.

Hon. D. Brand: What are they?

The MINISTER FOR TRANSPORT: Those which are transporting goods for which the authority of the Transport Board is necessary.

Mr. Nalder: Does that mean a licensed carrier?

The MINISTER FOR TRANSPORT: No, it would mean beyond that.

Mr. Hearman: A private car would not need to be licensed under this Act.

The MINISTER FOR TRANSPORT: Not by the Transport Board.

Mr. Hearman: But this clause would in effect mean that they could pull up a private car.

The MINISTER FOR TRANSPORT: I am prepared to go that far and eliminate a motorcar. But it is not intended to apply to anybody who is making a few odd purchases on his trip to or from the country. Nobody interferes with them now, and neither they should. But what we seek to do is to stop people transporting a volume of commodities. I have passed to me every week by somebody a piece of paper which gives me information regarding cars that park around Parliament House. If there are drums of petrol or cases of goods, or something of that nature involved, surely it is a matter of some concern. But odd parcels of groceries and the like are no worry at all.

Hon. D. Brand: If there is no intention of worrying about that, why put this provision in the Act?

The MINISTER FOR TRANSPORT: For the simple reason that anybody in Perth could load his vehicle with many tons of goods and if it is not a public vehicle within the definition in the Act, there is no requirement on him to stop. All that is necessary, when he is apprehended by the traffic inspector, is to show his authority and he can then be on his way. If he had no authority from the Transport Board, no doubt the case would be reported and action would be taken.

Mr. BOVELL: It appears to me that this is a far reaching clause which will prevent families from taking certain commodities with them in their vehicles. It could prevent a family from taking a few chairs and a tent for use on a camping holiday.

The Premier: And a thermos flask!

Mr. BOVELL: Yes, and everything else. We know what officialdom is. If the Minister wanted to guard against the carriage

of commercial goods, the Bill should have more clearly defined the Minister's requirements. People leave the inland areas and migrate to the coast for their holidays, as the member for Collie well knows. They would be prevented under this clause from taking their camping gear with them. They could be charged and convicted with an offence against the Act.

The Minister for Transport: No more than they can at present.

Mr. BOVELL: Why worry about including this clause?

The Minister for Transport: This does not apply to them.

Mr. BOVELL: We know what officialdom is and somebody with a little power tries to become a great authority and goes to all sorts of lengths.

The Minister for Lands: Imagination is a wonderful thing.

Mr. BOVELL: Let the Police Department take the initiative in policing the State. Do not let us have an army of officers acting as a police force for their various departments. If this clause is passed, we will be moving towards a police State.

Mr. NALDER: I believe that the power under the present Act is quite sufficient and that this clause should not be included. I support the member for Vasse and I will say that the officers of the Transport Board have sufficient power. Let me give members some information about an experience I had some years ago when the Transport Board was first instituted. I was travelling from Perth to the country in a utility and going up Armadale hill an officer of the Transport Board drove his vehicle across in front of mine and forced me into the side of the road. He got out and started to abuse me. I would like that same officer to try the same stunt on me now: I know where he would get off. He used abusive language to me in front of my wife.

Hon. J. B. Sleeman: It was a good job she was there because she cooled you down.

Mr. NALDER: I would not be so intimidated now.

Mr. May: How do you know it was abusive language?

Mr. NALDER: I will tell the hon. member about it later on and I think he will agree with me when I say that it was abusive language. After finding out what I was doing and where I was going, this officer apologised. But that is the sort of thing legislation of this kind will encourage; and we do not want it. It is not necessary to have a crowd of men like that on the road.

The Minister for Transport: Not a crowd; not one more than there are now will be necessary if this is passed.

Mr. NALDER: I will be amazed if the Minister can police all these extra provisions with the same number of men.

The Minister for Transport: There is efficiency for you!

Mr. NALDER: I know how efficiently the present Act has been policed. The member for Stirling spoke about that aspect. I know one transport driver who last year carried 1,100 bales of wool from the country to Perth without being intercepted once.

The Minister for Transport: Did you have a load on your own vehicle?

Mr. NALDER: I had my own car.

The Minister for Transport: I meant in your utility.

Mr. NALDER: I brought my utility to Perth on only one occasion last year and I took home two drums of fuel after asking the Transport Board about it. The Minister made some reference to members abusing the Transport Act.

The Minister for Transport: No, I pointed out what they were doing, but I said that it was in conformity with the provisions of the Act and there was nothing to stop them doing it.

Mr. NALDER: A number of farmers have told me in the last two or three weeks that they have been pulled up by Transport Board inspectors. Is that being done illegally? Apparently they could drive straight on, if what the Minister says is correct. I intend to vote against the clause.

Mr. HEARMAN: What is the virtue of this clause from the Minister's point of view? Under the Act a public vehicle means any vehicle which must be licensed under the Act and I take it to mean any vehicle carting anything that requires a permit. It does not say that it must be a commercial vehicle.

The Minister for Transport: How do you know that it is a vehicle for which there must be a licence unless it is stopped and inspected?

Mr. HEARMAN: That is being done now so what more does the Minister want? I can give many instances of that.

Hon. A. F. Watts: There is a catch in this somewhere.

Mr. HEARMAN: It seems to me that the board has all the power it wants. For instance, if I brought a few small parts for my agricultural implements and put them in the car to take them home, theoretically I would need permission to cart them. I would like to know the Minister's intention because there is no need for this amendment.

Mr. BOVELL: Although the Transport Board has been intercepting private cars, this will enable the board to indulge in a vendetta on private motorists, and, as we have already seen, the officers of the Transport Board will be able to conduct wholesale stoppages of cars for no reason at all. I can imagine instructions being issued for the stoppage of certain types of vehicles at certain times.

Hon. D. Brand: Did not someone write the other day that we are the most controlled State outside the iron curtain.

Mr. BOVELL: Yes, and if Kirwan Ward is to be believed, we will be public servants for the rest of our lives. We are heading towards a socialistic State. There is far more in this clause than appears on the surface and the Minister should explain why it is necessary when the existing Act gives the authority, or if not the authority—

Mr. Hearman: It gives the authority.

Mr. BOVELL: It certainly has been the practice of the board to apprehend all types of vehicles. The Minister should tell us why this clause is necessary.

Hon. A. F. Watts: I see no reason to alter the opinion I have already expressed. It has been supported by information given by members. The member for Katanning clearly indicated that already vehicles owned by farmers and coming actually within the exemptions contained in the schedule are being stopped to find out what they are carrying. This will prove increasingly restrictive and irritating and financially unpleasant for all concerned. The situation is clear that the present section gives ample opportunity for inspectors to hold up all vehicles except privately driven motorcars which I do not think they have the authority to stop. I see no reason for the amendment; indeed, apart from the first two clauses, I am opposed to the whole Bill.

Mr. HEARMAN: The Minister said he would consider the case of private vehicles. I would ask him if he has given any thought to providing some relief under Section 14 (a). The Minister has not told us what he has in mind even though he did say he would consider the matter.

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

Ayes	21
Noes	16

Majority for ... 5

Ayes.

Mr. Brady	Mr. Marshall
Mr. Gaffy	Mr. Norton
Mr. Graham	Mr. Nulsen
Mr. Hall	Mr. Potter
Mr. Hawke	Mr. Rhatigan
Mr. W. Hegney	Mr. Rodoreda
Mr. Hoar	Mr. Steeman
Mr. Jamieson	Mr. Toms
Mr. Johnson	Mr. Tonkin
Mr. Kelly	Mr. May
Mr. Lawrence	

(Teller.)

## Noes.

Mr. Bovell	Sir Ross McLarty
Mr. Brand	Mr. Nalder
Mr. Court	Mr. Owen
Mr. Crommelin	Mr. Roberts
Mr. Grayden	Mr. Thorn
Mr. Hearman	Mr. Watts
Mr. Hutchinson	Mr. Wild
Mr. W. Manning	Mr. I. Manning

(Teller.)

## Pairs.

Ayes.	Noes.
Mr. Lapham	Mr. Ackland
Mr. O'Brien	Mr. Perkins
Mr. Sewell	Mr. Mann
Mr. Heal	Mr. Cornell
Mr. Evans	Mr. Oldfield

Clause thus passed.

Clause 4—Section 52 repealed and re-enacted with amendments:

Hon. A. F. WATTS: I intend to oppose this clause which proposes to repeal the existing section of the Act and put another in its place. It imposes liability upon a driver and the owner of any public vehicle which operates on the road and is not licensed as such under this Act, or being licensed is carrying goods not authorised. It makes both the driver and the owner committing an offence under this Act liable to a penalty of not more than £40 for a first offence and not more than £100 for a second offence, while for any subsequent offence the penalty is not less than £40 and not more than £200.

It is a wonder that they did not add imprisonment for life. Apart from the fact that the provisions in the existing Act are wide enough, the penalties in this clause are excessive. There is no provision for the owner who has been deceived by his driver, from having any defence against the prosecution and penalty that would follow for a breach of the provisions of this clause. I do not propose to move an amendment to it but to vote against this clause.

Mr. BOVELL: As the Leader of the Country Party has said, the penalties are far too severe. It is very noticeable that when introducing legislation which is not an industrial measure, the Government sees fit to impose the greatest penalties possible—no penalties are high enough—but when dealing with industrial legislation penalties are kept well below reasonable limits. I agree it is better to keep them below reasonable limits than in excess of them.

Under this clause the driver has some protection but the owner has none even though he might be completely innocent of any offences against the Act; he must accept the full responsibility of any imposition the court may make. If it is good enough to protect the driver, the owner should also be protected. This is an example of class legislation and it is not desirable. I would ask the Minister to insert some protection to owners similar to that given to drivers.

The MINISTER FOR TRANSPORT: Opposition members are completely barren of argument against this measure and as a result they are just cooking up anything at all. The point is that the offences are already dealt with in the Act and they have been there for 24 years. The special provision for the driver to escape responsibility has been in the Act for 24 years in exactly the same words as in the amendment. It is adding nothing and taking away nothing.

Mr. Nalder: What is the necessity to amend the Act if those words are exactly the same?

The MINISTER FOR TRANSPORT: It is more sensible to delete a provision and reinsert it in the altered form rather than to take out a few words here and put in a few elsewhere, so that it becomes impossible for anyone to read the provision clearly. The Act says—

Provided in any prosecution against the driver under this section it shall be a good defence if the driver satisfies the court that he believed on reasonable grounds that such public vehicle was licensed under this Act.

Now I shall read what the Bill states in this respect—

In any prosecution against the driver under this section it shall be a good defence if the driver satisfies the court that he believed on reasonable grounds that the public vehicle was operating in accordance with the licence granted under this Act.

Mr. Nalder: The first part relating to the driver and owner of any public vehicle is already in the Act.

The MINISTER FOR TRANSPORT: That is so.

Mr. Nalder: That proves what I have said was right.

The MINISTER FOR TRANSPORT: I would suggest to the hon. member that he obtains a copy of the Act so that he can follow the discussion intelligently. There are several amendments contained in this clause. At present it is provided that if a person operates without a licence, he commits an offence. This goes further and says that if a person has a licence to carry certain goods, but is found to be carrying goods in addition to those for which he holds a licence, he also commits an offence.

Another amendment in the clause seeks to increase the penalties. If we were to increase the monetary value of the penalty in accordance with the fluctuation of values, they should be four times as heavy as when they were first prescribed. When this legislation was introduced in 1933 the basic wage was about £3 10s. a week, and if we were to use that as a basis, monetary values today would be four times as great. Therefore the penalties prescribed in 1933

ought to be increased fourfold. But being reasonable in this regard, the Government has increased the penalties by only two-fold; in other words, the penalty would be half as severe as when the legislation was first introduced.

There will be quite a number of amendments to the existing statutes to bring penalties more into conformity with present-day values of money; in other words, to bring them into proper perspective compared with what they were when initially imposed. Having regard to the fact that the invariable practice is for the court to impose one-fifth of the maximum penalty provided, it will be seen that more than likely the penalty will be £8, although the court will have the discretion to impose any amount up to £40. Because of the inability of members opposite to find a weakness in this measure, they are imagining all sorts of things; because they cannot find anything wrong in the Bill, they think there is some hidden reason. I can assure them that the Bill is straightforward.

Mr. BOVELL: I intend to move a number of amendments, and if they are not agreed to, I shall vote against the clause. I move an amendment—

That the word "forty" in line 1, page 3, be struck out, and the word "twenty" inserted in lieu.

I do so in order to reduce the maximum penalty by half, because I consider the maximum of £40 too steep an increase.

Mr. I. W. MANNING: I support the amendment. The persons who are most affected by this provision are those who cart goods without a licence, or who cart in excess of the amount shown on their licences. Most of the prosecutions under this section of the Act have been brought against country greengrocers who come to the metropolitan markets to purchase their perishables and vegetables. Generally, they are given a licence to cart 5cwt.

The Minister for Transport: The biggest number of prosecutions are against people who cart logs and sawn timber.

Mr. I. W. MANNING: I am only giving cases of which I know. I have known instances where greengrocers have carried a crate or two of lettuces more than they were permitted under their licence, and where they have been prosecuted. They did not know the actual load they were carrying because they were not sure, but the Transport Board inspectors looked at the load and considered it was more than 5cwt.

The Minister for Transport: Can you give an instance where such a person has been prosecuted?

Mr. I. W. MANNING: I am not prepared to name one at this stage, but I can.

The Minister for Transport: You are telling fairy stories.

Mr. I. W. MANNING: To double the existing penalties would be to indicate to the court that Parliament considers the offence of overloading or carrying in excess of the licence to be very grave. I am in sympathy with country greengrocers who unwittingly commit such an offence, especially when they have to cart for a long distance perishables and vegetables. I consider that to prescribe a maximum of £40 would be too severe. A maximum of £20 penalty for a first offence would be more appropriate, especially for those who commit such an offence unwittingly. The view of the court would be influenced if a high maximum penalty was prescribed, and it would be more inclined to treat offenders harshly.

Mr. NALDER: I support the amendment. I consider the existing penalties quite sufficient. If the Minister and the Transport Board were able to administer the Act efficiently, there would be no necessity to increase the penalties. I related the case of a carrier who carted 1,100 bales of wool to Perth without being intercepted, and I also told of a carrier who carted a great amount of fuel but was promptly caught. On the third offence he was fined £70. It is unreasonable to think that that carrier will risk committing such an offence again. If the present Act is administered reasonably, there will be no need to increase the penalty.

Mr. HEARMAN: The Minister has proposed a maximum fine of £40 for a first offence. I would ask him what other first offences would bring a maximum penalty of £40. That is very severe indeed. If we were to examine the argument put forward by the Minister about doubling the penalties in view of the decreased value of the £, we might find that the maximum of £20 originally prescribed was far too steep. The amendment seeks to prescribe a maximum of £20 instead of £40, and that should be sufficient.

I want to know what sort of an offence the Minister thinks warrants a fine of £40. I have always understood that the principle of punishment accepted under British law was that first offenders should be treated lightly, and that the severity of a penalty depends on the frequency and seriousness of an offence. If there was a tremendous number of first offenders, there might be some argument for increasing a fine from £1 to £5 or even higher; but I cannot visualise any first offence warranting a penalty of £40.

The MINISTER FOR TRANSPORT: If members cast their minds back to the time when the penalty was first laid down by Parliament, they will remember that it was when the pension was about 16s. a week, and the basic wage was about £3 10s., and members of Parliament were getting £400 a year plus a little bit. In other words, money had a totally different value. Parliament decided that the penalty at that

time should be in the vicinity of six times the basic wage. What the Government is now seeking to do is to reduce the severity of the penalty by making it approximately three times the basic wage. The Act has been amended on many occasions, but no Government has thought the penalty too severe. The present Government has been exceedingly generous.

Mr. Ross Hutchinson: You are not saying that this clause reduces the penalty?

The MINISTER FOR TRANSPORT: It reduces the impact of the penalty as against that which was determined by Parliament when the legislation was first introduced.

Mr. Hearman: What sort of offence do you suggest warrants a penalty of £40?

The MINISTER FOR TRANSPORT: The same offences, with the exception of the one which I outlined earlier; the identical offences which were envisaged when the legislation was introduced, and in accordance with the proposition accepted by all Governments.

Hon. D. BRAND: The Minister has given evidence of not being absolutely aware of what occurs in the actual policing of the Act. He referred to a certain statement by the member for Harvey as being a fairy story. No doubt the member for Harvey could give him instances of inspectors taking action, armed with this law, and backed by a vigilance committee or someone else. Nobody can deny that £40—whether it be yesterday, today or tomorrow—is a substantial penalty.

The Minister for Transport: The maximum.

Hon. D. BRAND: The Opposition is opposing this in principle. The Minister, sitting in his chair in his office, does not realise just what goes on, and just how gradually the freedom of the individual is being filched away by laws introduced in this place every day, perhaps with all the goodwill in the world. There is too much restriction and control.

As I drove to my electorate in a Government car the other day, I said to the driver, "Who is that fellow in the car at the side of the road?" He replied, "That is one of the inspectors." I have seen that three times. I have seen them standing behind trees ready to jump out and do all these sorts of things. Surely that is not typical of our way of life! We oppose these extra restrictions because we know what effect they will have on the whole population.

It is not wise for a Government of any political colour to arm with additional powers inspectors who already have a worth-while law in force. It is not fair to ask Parliament to tighten the law. I referred to a certain vigilance committee. Although we do not believe all that we see in the paper, we read that as the result of a meeting that was held, certain

employees protested against railway closures, and a promise was made by the Government that a tightening up would take place. That undertaking has been honoured. There was reference also to the setting up of a vigilance committee—I do not know by whom, or who is on it. But one would imagine that its recommendations are reflected in this Bill.

The Minister for Transport: No.

Hon. D. BRAND: I appeal to the Minister not to proceed with this legislation, because I am satisfied there is already sufficient authority in the Act—in fact, too much. If we on this side ever get the opportunity as a Government, we will take steps to loosen that power, because the time has come to put a stop to the onward march of restrictive legislation pouring out from this place.

Mr. HEARMAN: Very often offences are committed at some distance from the offenders' homes, with the result that they are frequently in the position of having either to plead guilty and not appear in court; or of appearing at considerable inconvenience and expense.

Mr. Potter: How often at present is the maximum fine imposed?

Mr. HEARMAN: That is a good point. I am glad the hon. member mentioned it. If the maximum is not being imposed at present, that supports our point of view; and I hope the hon. member will be behind us. There have been instances in which persons have had a severe penalty imposed on them through not appearing in court. There was one man who would have been involved in a journey of 80 miles in order to defend himself. Naturally the inspector who gave evidence for the prosecution would be expected to tell the tale in such a manner as to make the prosecution effective. Because there was no evidence in rebuttal, this man was fined a considerable sum—purely through not appearing.

For that reason, we should be chary about making an exceptionally heavy maximum penalty for a first offence. As the member for Subiaco has pointed out, the courts do not appear to require this additional penalty, inasmuch as they are not taking full advantage of the existing one. I put that point to the Minister, and would also like him to tell me the sort of first offence which he feels would merit a penalty of £40.

Mr. W. A. MANNING: The member for Subiaco certainly raised an interesting point. If members will look at tonight's "Daily News" they will notice that for a transport offence committed between Rivervale and Wongan Hills, a fine of £50 was inflicted, for the second time. According to the magistrate, a fine of £100 could have been imposed; and he warned the offender that it might be £100 next time. The magistrate had an opportunity

on this occasion to inflict a fine of £100, yet he did not do so. He considered a second fine of £50 was adequate. That seems to suggest that the present maximum is ample. A further case quoted, which may have been a first offence, was for carting wool from Williams and the fine was £15. It appears that the present maximum is sufficient and there should be no need to raise it.

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

Ayes	16
Noes	22

Majority against .... 6

**Ayes.**

Mr. Bovell	Sir Roas McLarty
Mr. Brand	Mr. Nalder
Mr. Court	Mr. Owen
Mr. Crommelin	Mr. Roberts
Mr. Grayden	Mr. Thorn
Mr. Hearman	Mr. Watts
Mr. Hutchinson	Mr. Wild
Mr. W. Manning	Mr. I. Manning

(Teller.)

**Noes.**

Mr. Brady	Mr. Lawrence
Mr. Evans	Mr. Marshall
Mr. Gaffy	Mr. Norton
Mr. Graham	Mr. Nulsen
Mr. Hall	Mr. Potter
Mr. Hawke	Mr. Rhatigan
Mr. W. Hegney	Mr. Rodoreda
Mr. Hoar	Mr. Sleeman
Mr. Jamieson	Mr. Toms
Mr. Johnson	Mr. Tonkin
Mr. Kelly	Mr. May

(Teller.)

**Pairs.**

<b>Ayes.</b>	<b>Noes.</b>
Mr. Ackland	Mr. Lapham
Mr. Perkins	Mr. O'Brien
Mr. Mann	Mr. Sewell
Mr. Cornell	Mr. Heal
Mr. Oldfield	Mr. Andrew

Amendment thus negatived.

Mr. BOVELL: I wish to voice my objection to the other maximum penalties provided in the clause but will pass over them in view of the fate of the amendment just defeated. I move an amendment—

That after the word "the" in line 6, page 3, the words "owner and/or" be inserted.

The owners of vehicles might unwittingly have goods carried on their vehicles and would be without protection. A driver might transport goods to the country without the owner's knowledge and so I think it is obvious that the owner should be given this protection.

The MINISTER FOR TRANSPORT: For the past 24 years the provision in the Act has been identical with that which appears in this Bill.

Mr. Hearman: Not identical.

The MINISTER FOR TRANSPORT: In sense. I am unaware of any injustice that has been done an owner of a vehicle because of the operation of this provision throughout that period.

Mr. Bovell: It could be.

The MINISTER FOR TRANSPORT: I challenge any member to give an instance where such has occurred. The owner—in other words, the employer—has some responsibility for his employee and I would hazard a guess that this special provision in respect of the driver was inserted because under the master and servant relationship, the employer merely tells the driver to step into the vehicle and convey goods from point A to point B. The driver must comply with that instruction of his employer even though he does not necessarily have any idea whether it is in accordance with the licence or whether a licence has even been obtained.

If there had been cases of where grievous injury had been done to anybody I would be inclined to look sympathetically at this proposition. But I will give an undertaking to have the amendment investigated and if it is thought that there is no loophole sufficient for an owner, driver or anyone else to evade the provision with impunity, I will ask the Minister for Railways in the Legislative Council to have the words inserted. At present I am opposed to the amendment.

Mr. HEARMAN: I think that as the Minister is not certain of his facts, he should report progress. There are cases where considerable injustice could arise and the mere fact that they may not have arisen, or the Minister is not aware of them, is no reason why the amendment should not be agreed to.

The Minister for Works: Give us an example.

Mr. HEARMAN: My neighbour has his truck out of order and he comes to me to borrow my truck—which he has done on more than one occasion—and he gets his new Australian employee to drive some stock to the yard and the chap back-loads some petrol. The driver would not be responsible but because I was the owner, even though I had nothing to do with it, I would be responsible. I think the Minister should have a further look at this and I move—

That progress be reported.

The MINISTER FOR TRANSPORT: I am afraid it does not return any dividends to make a generous gesture. Had I opposed the amendment we could have argued it and then taken a vote on it and nothing more would have been said. I stated also that I was unaware of any injustice and surely the mover of the amendment in making out a case should have given us some instances of any injustice! But he did not.

Mr. Bovell: You quoted the master and servant relationship.

The MINISTER FOR TRANSPORT: Yes, the servant is carrying out the instructions given to him by the owner.



Hon. A. F. Watts: There is no objection to that. We are saying that if the servant chooses to carry contraband goods and the owner does not know about it, he should be relieved of responsibility.

The MINISTER FOR TRANSPORT: The owner of the vehicle can go before the court and plead his case and the court is fair minded enough to mete out justice in such cases. If my undertaking is not accepted, I will withdraw my offer and the matter can take its course. I am not prepared to accept the amendment.

Mr. Nalder: Did not the member for Blackwood move that progress be reported?

The CHAIRMAN: The hon. member cannot do it after making a speech.

Mr. I. W. MANNING: This amendment is clear and straightforward and takes us back largely to the wording of the original Act. We can only draw on our imagination to realise what could be done and the member for Blackwood gave us an instance of it. I support the amendment.

Mr. BOVELL: The Minister has conceded that there may be something in the amendment and that he desires to have a further look at it. We could report progress but I will accept the Minister's offer and ask leave to withdraw by amendment, although I shall vote against the clause.

Amendment, by leave, withdrawn.

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

Ayes	22
Noes	16

Majority for 6

#### Ayes.

Mr. Brady	Mr. Lawrence
Mr. Evans	Mr. Marshall
Mr. Gaffy	Mr. Norton
Mr. Graham	Mr. Nulsen
Mr. Hall	Mr. Potter
Mr. Hawke	Mr. Rhatigan
Mr. W. Hegney	Mr. Rodoreda
Mr. Hoar	Mr. Sleeman
Mr. Jamieson	Mr. Toms
Mr. Johnson	Mr. Tonkin
Mr. Kelly	Mr. May

(Teller.)

#### Noes.

Mr. Bovell	Sir Ross McLarty
Mr. Brand	Mr. Nalder
Mr. Court	Mr. Owen
Mr. Crommellin	Mr. Roberts
Mr. Grayden	Mr. Thorn
Mr. Hearman	Mr. Watts
Mr. Hutchinson	Mr. Wild
Mr. W. Manning	Mr. I. Manning

(Teller.)

#### Pairs.

Ayes.	Noes.
Mr. Lapham	Mr. Ackland
Mr. O'Brien	Mr. Perkins
Mr. Sewell	Mr. Mann
Mr. Heal	Mr. Cornell
Mr. Andrew	Mr. Oldfield

Clause thus passed.

Clause 5—agreed to.

Progress reported.

House adjourned at 6.5 p.m.

## Legislative Council

Tuesday, 10th September, 1957.

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

### QUESTION.

#### WATER SUPPLIES.

##### Availability of Boring Plants.

Hon. L. A. LOGAN asked the Minister for Railways:

(1) Are there any privately-owned water boring plants in Western Australia capable of boring to a depth of 500ft. or more, which are available either for hiring or for contract work?

(2) If the answer to No. (1) is "Yes," will the Government give consideration to hiring one or to engaging one on a contract basis to bore for water at Won-goondy and, at the same time, making the services of a geologist available?

The MINISTER replied:

(1) There are water-boring contractors available in the State for engagement.

(2) The engagement of these contractors in regard to private holdings is a matter for the owners of such holdings. Any geological information available regarding this district will be supplied to interested parties.

### BILLS (2)—THIRD READING.

#### 1, Health Act Amendment.

Returned to the Assembly with amendments.

#### 2, Trustees Act Amendment.

Passed.

### BILL—AUDIT ACT AMENDMENT.

#### Third Reading.

HON. E. M. DAVIES (West) [4.35] in moving the third reading said: During the second reading debate Mr. Watson said—

There are some sections of the Act which provide that the Auditor General or such person as he shall appoint may do various things. But Section