

Mr. YATES: A candidate would know exactly how many cards he wanted for the houses if this Bill were passed, but under the existing legislation, in view of the great number of polling booths, it is necessary for him to print many thousands of "how to vote" cards so that he might have enough for distribution at each polling place. If it were necessary for me to place "how to vote" cards only in letter boxes, I would print 3,500 because that is the number of houses within my electorate.

Apart from the cost of printing, a candidate also has to meet the expense of providing refreshments and in some instances petrol for the cars if vehicles cannot be obtained voluntarily. Personally, I have never paid for the use of a car nor have I paid people to assist me at any polling place. Organisations of the parties in this House have had to pay for the use of cars in the conduct of an election campaign and also the cost of providing refreshments.

Therefore, this measure, if agreed to, would be of benefit to all parties because it would tend to keep election expenses down. Already these costs are reaching high proportions and every party is finding it difficult to furnish enough finance to conduct election campaigns. I think the Bill is a good one and hope it will receive the support of all members in this House.

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

Ayes	12
Noes	17
Majority against	5

Ayes.

Mr. Abbott	Mr. North
Mr. Hearman	Mr. Oldfield
Mr. Hutchinson	Mr. Owen
Mr. Manning	Mr. Watts
Sir Ross McLarty	Mr. Yates
Mr. Naider	Mr. Bovell

(Teller.)

Noes.

Mr. Andrew	Mr. Moir
Mr. Graham	Mr. Nulsen
Mr. J. Hegney	Mr. O'Brien
Mr. Hoar	Mr. Rhatigan
Mr. Jamieson	Mr. Sewell
Mr. Johnson	Mr. Sleeman
Mr. Lapham	Mr. Styans
Mr. Lawrence	Mr. May
Mr. McCulloch	

(Teller.)

Pairs.

Ayes.	Noes.
Dame F. Cardell-Oliver	Mr. Guthrie
Mr. Brand	Mr. Hawke
Mr. Mann	Mr. Norton
Mr. Cornell	Mr. Kelly
Mr. Thorn	Mr. W. Hegney
Mr. Wild	Mr. Heal
Mr. Doney	Mr. Tonkin
Mr. Hill	Mr. Brady

Question thus negatived.

Bill defeated.

BILLS (4)—RETURNED.

- 1, Loan, £17,850,000.
 - 2, Government Employees (Promotions Appeal Board) Act Amendment (No. 2).
 - 3, Bulk Handling Act Amendment (No. 1).
 - 4, Parliamentary Superannuation Act Amendment.
- Without amendment.

**BILL—GOVERNMENT EMPLOYEES
(PROMOTIONS APPEAL BOARD)
ACT AMENDMENT (No. 1).**

Council's Message.

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

**BILL—WORKERS' COMPENSATION
ACT AMENDMENT.**

Council's Further Message.

Message from the Council received and read notifying that it had agreed to the Assembly's request for a conference on the amendments insisted on by the Council, and had appointed the Minister for the North-West, Hon. L. A. Logan and Hon. H. Hearn as managers for the Council, the President's room as the place of meeting and the time 10 a.m. on Friday, the 18th December.

*Sitting suspended from 2.9 a.m. (Friday)
to 11.20 p.m. (Friday).*

Friday, 18th December, 1953.

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At the conclusion of the report I shall make a few explanatory remarks. The report is as follows:—

The managers have met and have agreed to make the following recommendations:—

No. 1. Deletion of Clause 2 agreed to.

Substitute a new clause to stand as Clause 2 as follows:—

2. Section 11 of the principal Act is amended (a) by adding after the word, "term" in line 2 of subsection (1) the words "subject to the provisions of Section 12A of this Act"; and (b) by adding after the word "inspector" in line 4 of Subsection (2) the words, "and subject to the provisions of Section 12A of this Act."

No. 2. Amendment not agreed to, but it is agreed that Clause 3 be deleted and the following new clause, to stand as Clause 3, be substituted for it, namely—

3. Section 12 of the principal Act is amended by adding before the word, "Rent" in line 1, the words, "subject to the provisions of Section 12A of this Act."

and it is further agreed that a new clause, to stand as Clause 4 be added, namely—

4. The principal Act is amended by adding after Section 12 the following section—

12A. On the thirtieth day of April one thousand nine hundred and fifty-four the provisions of Sections 10, 11 and 12 of this Act cease to operate and the provisions of Section 13 of this Act operate in their stead on and after the first day of May, one thousand nine hundred and and fifty-four during the operation of this Act.

No. 3. Amendment not agreed to but it is agreed that a new clause be substituted for Clause 4 as follows:—

Section 13 of the principal Act is amended—

(a) by adding to Subsection (1) after the subsection designation, "(1)," the paragraph designation, "(a)";

(b) by adding the following paragraph—

(b) on and after the first day of May one thousand nine hundred and fifty-four, the rent of premises for any

The SPEAKER resumed the Chair at 11.17 p.m.

BILL—RENTS AND TENANCIES EMERGENCY PROVISIONS ACT AMENDMENT.

Conference Managers' Report.

The MINISTER FOR HOUSING: I submit the report of the managers of the conference on the Rents and Tenancies Emergency Provisions Act Amendment Bill.

- period during the operation of this Act shall be such as agreed between the lessor and the lessee, but whether the lessor and or lessee have or have not agreed, or negotiated for agreement, as to the rent the lessor or lessee may subject to the provisions of Subsection (4) of this section and of Section 15 of this Act, from time to time make application for the amount of rent of the premises to be determined;
- (c) by substituting for the words, "The lessor or the lessee may make application in writing to a rent inspector appointed under the hand of the Minister to" in lines 3, 4 and 5 of paragraph (a) of Subsection (2) the words, "a rent inspector may upon application being made to him by the lessor or the lessee, or of his own motion";
 - (d) by adding after the word, "force" being the last word in paragraph (a) of Subsection (2) the words, "and of their rights of appeal mentioned in Subsection (4) of this section;
 - (e) by substituting for the word, "may" at the end of line 2 of Subsection (3) the word, "shall"; and,
 - (f) by substituting for the passage commencing with the word, "shall" in line 4 and ending with the word "terms" in line 7 of Subsection (3) the passage—

"so that the rent determined for—

 - (a) premises which are leased otherwise than in parts, yields a fair net annual return being not less than two per centum per annum and not more than eight per centum on the capital value of the premises at the date of the application; or
 - (b) premises being part of premises which part is leased separately, yields a fair net annual return determined on the basis mentioned in paragraph (a) of this subsection with such additional return, if any, as the court or the inspector, as the case may be, is hereby authorised to determine and does determine as fit the the particular circumstances of the case;

but the court or the inspector shall not during the term of a lease of premises which has been or may be entered into for a fixed term exceeding twelve months, alter the rent reserved by the lease."

No. 4. Deletion of Clause 5 agreed to, but it is also agreed, in consequence of the agreement mentioned in Item number 2, that the following new clauses, to stand as Clauses 5 and 6 be inserted, namely—

5. Section 17 of the principal Act is amended by adding before the words, "The provisions" in line one of Subsection (2) the words, "Subject to the provisions of Section 20A of this Act."

6. Section 18 of the principal Act is amended by adding after the word, "Act" in line 1 of Subsection (1) the words, "and subject to the provisions of Section 20A of this Act."

No. 5. Deletion of Clause 6 agreed to.

Substitute a new clause therefore as follows:—

Section 19 of the principal Act is amended by adding after the word, "Section" in line 3 of Subsection (1) the words, "but subject to the provisions of Section 20A of this Act."

No. 6. Deletion of paragraph (a) of Clause 7 agreed to; and it is also agreed that the following paragraph be substituted therefor—

(a) by adding after the word, "Part" in line 1 of Subsection (1) the words, "in general, and to the provisions of Section 20A of this Act in particular."

No. 7. Deletion of paragraph (b) of Clause 7 agreed to. It is further agreed, in consequence of the agreement mentioned in Item No. 2, that after Clause 7 the following new clause, to stand as Clause 8, be inserted, namely—

8. The principal Act is amended by adding after Section 20 the following sections—

20A. On the thirtieth day of April one thousand nine hundred and fifty-four the provisions of Sections 17, 18, 19 and 20 of this Act cease to operate and the provisions of Section 20B of this Act operate in their stead on and after the first day of May one thousand nine hundred and fifty-four and during the operation of this Act.

20B. On and after the first day of May one thousand nine hundred and fifty-four the lessor of premises shall not during the operation of this Act commence or continue proceedings to recover possession of, or eject the lessee from, premises unless he has given to the lessee notice to quit of at least twenty-eight days or such longer period as that to which the lessee is entitled at law.

It is also agreed, in consequence of the agreement mentioned in Item No. 2, that Clause 8 be deleted and that the following clause be substituted therefor—

Section 21 of the principal Act is repealed.

No. 8. The deletion of Clause 9 is agreed to.

No. 9. Amendment not agreed to—Clause 10 to stand.

No. 10. In consequence of the agreement mentioned in Item No. 2, proposed new clause not agreed to.

In explanation of the effect of the decisions of conference I may point out that the decisions arrived at during the conference will mean that protection from eviction and control of rents will virtually disappear as at the 30th April, 1954. I want to say that the managers were faced with a difficult position because, had they not agreed to any form of compromise, then, as members are aware, the legislation would have automatically expired in less than a fortnight's time. That would have left insufficient time, particularly with the onset of the Christmas and New Year holiday period, for people to make any arrangements on their own account, or for the State Housing Commission, which I dare say will have to meet or endeavour to meet the brunt of the demands for accommodation, to make the necessary arrangements.

As briefly as I can put it, the position as from the New Year will be as follows:—The provisions of the existing Act in respect of recovery of possession of premises, and control of rents of premises, both for residential and business purposes, will continue until the 30th April, 1954. On and after the 1st May next, until the 31st December, 1954, with regard to evictions affecting both residential and business premises, 28 days' notice to quit or a period of notice under rights at law, whichever is the longer, will be necessary in order to terminate a lease.

It will be seen that the position will be eased somewhat as against what has been proposed, not only in respect of the extension of time under which existing legislation will operate, but instead of the great majority of tenants being subject to a week's notice, all of them now will have a minimum of 28 days' notice until the end of next year, and accordingly that amount of time will be available for evictees to make arrangements for themselves, or for some authority, such as the State Housing Commission, to make the arrangements for them.

On and after the 1st May next and until the 31st December, 1954, in regard to rents of both residential and business premises, the rent will be that mutually agreed upon between the lessor and the lessee, subject to appeal by either party

to the inspector or the court, or, in the event of there being no agreement, either party may appeal to the inspector or the court, as the case may be. The inspector or the court shall determine a rent taking into account such factors as are considered relevant, but so that such rent will allow to the owner a fair net return, being not less than 2 per cent. and not more than 8 per cent., on the capital value of the premises as at date of application.

Thus, it will be seen that on and after the 1st May next, the matter of determining rents will be largely in the hands of the lessor, but we were able to retain a provision that an appeal may be made to an independent authority. This, I feel, will not be of any great account especially where the lessor is of the less desirable type, because any such approach for determination of a fair rental would probably result in a notice to quit even if it be the statutory requirement of 28 days.

It is hoped that there will be an appreciation of the position, by landlords more especially during the earlier period of the transition, and that they will have some regard for the circumstances and the position of those who may be called upon to meet higher rental payments or those who may be evicted from their premises.

Further, it is my hope that, instead of there being a flood of actions at the earliest possible moment, which would be 28 days after the end of April, people may be given an opportunity of making some arrangement. In other words, only in such cases where the landlords feel it absolutely essential will they take action. They would be rendering a public service and demonstrating a Christian spirit if they deferred as long as possible any action of which they may avail themselves in the terms of what will be the new Act governing rents and tenancies. I make this appeal in this Chamber earnestly and in the belief that at least the great majority of landlords are decent and sentient human beings.

Where parts of premises are let, the foregoing formula will apply, and the inspector or court as the case may be, will have discretion to make some adjustment of the rent to compensate for the letting of the premises in parts instead of as one unit. Rents of parts of residential premises may be determined by an inspector either upon his own motion or upon application being made by either the lessor or lessee. This means that there will be an innovation—one that has been sought in this Chamber for some years—under which it will be possible for the inspector to initiate action on his own account, but this will apply only to parts of premises. It was felt by the managers that there should be some control—some more positive control—in the future than there has been

in the past in respect particularly of the letting of rooms and in the matter of apartment houses.

The inspector will be clothed with adequate powers to enter parts of residential premises for the purpose of inspection and in order to obtain necessary information. These provisions will continue in operation till the 31st December, 1954. It will be noted that the provisions relating to protected persons have been maintained in their present form and will continue till the 31st December, 1954.

I realise that the report of the managers is exceedingly lengthy, and is probably too involved to be properly assimilated immediately, but owing to the very nature of things, this has been unavoidable. I express, on behalf of the managers, regret at the inconvenience occasioned to members and the staff, but we were occupied for more than 13 hours battling out the various points with a view to arriving at the best possible agreement from the standpoint of this House.

Personally I could wish that I had had something more satisfactory to report, but I am thankful that it has been possible to effect an improvement, because it was known that at the 31st December of this year, houses and self-contained flats were to have been removed entirely in the matter of gaining possession of premises and also in respect of the rents that might be charged. I move—

That the report be adopted.

Hon. J. B. SLEEMAN: It has been hard to follow the rapid explanation given by the Minister. I have risen to protest against the system of managers to decide these important questions, just as I have protested on previous occasions. The more I see of this system, the less I like it. Here we have six managers appointed to settle some of the most important business of the session. It would not be so bad if the decision was that of the six, but often it happens that one of them makes the decision.

Other means should be found to deal with these matters, though I am not prepared to suggest what system could be adopted in lieu, but the time has arrived when an endeavour should be made to alter the existing practice. This idea of handing the whole business over to six people to settle is out of date. So far as I could learn, from listening to the Minister's explanation, we have secured a small gain. Instead of having tenants evicted in January, they will be evicted in May, but I think it will be a bad day for tenants when the month of May arrives.

Reference was made by the Minister to good landlords. I do not think many landlords will take a great deal of interest in their tenants, and I imagine that they will have little regard for them when it comes to a question of putting them out of their homes. The result of the conference has

simply been to put off the evil day from January to May. I am not criticising the work of the managers, who have evidently done the best they could in the circumstances, but we have been here since 11 o'clock this morning and it is now nearly 12 o'clock at night and not a word has been spoken by us on the business of the House. Therefore I say it is time a different system was adopted. Under the present circumstances most members have just about had it. Had they been working all day, they would not have been as weary as they are now, and I trust that the Premier will not keep us here too long after the reports have been received.

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

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Conference Managers' Report.

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

Page 2, Clause 1: Add a subclause after Subclause (3) as follows:—

(4) This Act shall come into operation on a date to be fixed by proclamation.

Page 2, Clause : Delete Clause 2.

Page 3, Clause 3, line 12: Add the following after the word "country"—
"and adding the words 'but does not include such members of the worker's family who do not reside permanently in the State at the time the worker dies or is incapacitated if his death or incapacity occurs after a period of five years of his first residing in the State.'"

Page 3, line 13: Delete paragraph (b).

Page 3, line 20: Delete Clause 4.

Page 3, line 22: Delete Clause 5.

Page 4, Clause 6, line 37: Substitute for the word "eight" the word "one."

Page 5, line 3: Delete paragraphs (a) and (b).

Page 5, line 36: Paragraph (c)—
Substitute for the word "eight" the word "one."

Page 6, line 1: Delete paragraphs (d), (e) and (f) and substitute a paragraph as follows:—

(d) Substituting for the words, "Any worker who subsequent to the coming into operation of the Workers' Compensation Act Amendment Act, 1948, receives the full amount of one thousand two hundred and fifty pounds, or who prior to the coming into operation of such Act received the full amount of seven hundred and fifty pounds in respect of such

period or periods of incapacity" in lines 23 to 26 (inclusive) of Subsection (14), the words—"A worker who has received the full amount of compensation—

(a) of seven hundred and fifty pounds prior to the coming into operation of the Workers' Compensation Act Amendment Act, 1948;

(b) of one thousand two hundred and fifty pounds prior to the coming into operation of the Workers' Compensation Act Amendment Act, 1951;

(c) of one thousand seven hundred and fifty pounds prior to the coming into operation of the Workers' Compensation Act Amendment Act, 1953; or

(d) after the coming into operation of the Workers' Compensation Act Amendment Act, 1953, of the sum of two thousand one hundred pounds in respect of such period or periods of incapacity or, in the case of a worker whose disease has resulted in an injury also entitling him to compensation under the Second Schedule of the Act, of the appropriate maximum amount in respect of such period or periods of incapacity and such injury."

Page 6, Clause 8, line 35: Substitute for the word "eight" the word "one."

Page 6, line 37: Delete Clause 9.

Page 8, Clause 10, line 28: Delete paragraphs (b) and (c).

Page 9, Clause 11, line 13: Delete subparagraph (ii).

Page 10, Clause 11: Delete all words after the word "determination" in line 3 down to and including the word "accordingly" in line 35.

Page 10, Clause 12, lines 40 and 41: Substitute for the words "two thousand four hundred pounds" the words "one thousand eight hundred pounds."

Page 11, line 3: Substitute for the word "seventy-five" the word "sixty."

Page 11, line 4: Delete paragraph (c).

Page 11, line 8: Delete paragraph (d).

Page 11, line 13: Delete paragraph (e).

Page 11, line 15: Delete paragraph (f).

Page 11, line 21: Substitute for the word "eight" the word "six."

Page 11, line 24: Substitute for the word "seventy-five" the word "sixty."

Page 11, line 25: Delete paragraph (i).

Page 11, line 27: Delete paragraph (j).

Page 12, Clause 13, line 12: Delete paragraph (a).

Page 12, line 17: Substitute for the words "fifteen shillings" the words "twelve shillings and six pence."

Page 12, line 21: Substitute for the words "two pounds" the words "one pound sixteen shillings."

Page 12: Delete paragraph (d) and substitute the following:—

Substituting for the words "one thousand seven hundred and fifty" in lines 37 and 38 the words "two thousand one hundred."

Page 12, Clause 14, line 34: Delete paragraph (a).

Clause 14, page 13, lines 29 and 30: Substitute for the words "five pounds" the words "three pounds twelve shillings."

Page 13, line 31: Delete paragraph (e).

Page 13, line 41: Substitute for the words "one pound" the words "fifteen shillings and six pence."

Page 13, line 44: Substitute for the words "six pounds" the words "four pounds sixteen shillings."

Clause 15, page 14, line 4: Substitute for the words "one pound" the words "fifteen shillings and six pence."

Clause 15, page 14, line 7: Substitute for the words "six pounds" the words "four pounds sixteen shillings."

Clause 16, page 14, line 12: Substitute for the word "eight" the word "one."

Clause 17, page 14: Delete the clause.

It can hardly be expected, in the circumstances, that members will have been able to follow exactly what has been done, but, shortly, after considerable deliberation, the managers arrived at decisions as outlined in the report. The definition of "dependants" will now not include any members of a worker's family who do not permanently reside in the State after a period of five years from his first residing in the State and he meets with an accident or is killed as the result of an accident.

The Second Schedule in the Act will remain stationary and there will be no increase in payments, but with respect to

the First Schedule payments the maximum amount has been increased for permanent and total incapacity from £1,750 to £2,100 and where death results from the injury an increase will be made from £1,500 to £1,800. The allowance for dependent children in cases where death results from the injury will be increased from £50 to £60.

I come now to the dependent wife and would mention, incidentally, that the weekly payments to injured workers, both with and without dependants, will remain at £10 and £8 respectively. The only alteration in that regard is that the dependants' allowances will be increased. The allowance for a spouse will be increased from 30s. to 36s. and that for a child from 10s. to 12s. 6d. Where a worker is obliged to travel to obtain medical attention or a similar service the daily travelling allowance is now 15s. 6d. Previously it was 13s. The weekly allowance will now be £4 16s. The minimum amount payable on the death of a worker to a widow or a widowed mother will be increased from £500 to £600.

Briefly, that covers the result of the deliberations by the conference managers. If members will peruse the report and compare the measure as it was originally introduced and as it was when it left this Chamber, they will appreciate that a number of provisions have not been unanimously accepted and, consequently, they have had to be waived in order to obtain unanimous agreement on other provisions.

Hon. J. B. Sleeman: What about those dependants who are outside the country?

The MINISTER FOR LABOUR: If a worker, after he has resided in this State for a period of five years, is injured and his dependants are not living in this State, they will not be regarded as dependants under the Workers' Compensation Act neither in respect of those allowances that are payable when a worker is injured nor of those payable on the death of a worker.

Mr. O'Brien: That is rather hard.

The MINISTER FOR LABOUR: The qualifying period of five years was accepted in order to obtain agreement in regard to other factors, and that will be the position in the future.

Mr. Andrew: Would dependants receive any allowances if they were residing in this State from 12 months to two years?

The MINISTER FOR LABOUR: The qualifying period is five years. If the worker comes from another State or another country and is injured during the course of his employment he is entitled to compensation after he has resided in this State for a period of five years. If his dependants have arrived in this State within that period they also will be entitled to receive an allowance on the injury of a worker, but if they are still re-

siding outside the State after the worker has resided in this State for five years they will not be regarded as dependants under the Act.

Mr. Lawrence: There is no retrospectivity?

The MINISTER FOR LABOUR: No. The retrospective provisions in the Bill, together with the clause which proposed to cover a worker whilst travelling to and from work, have been waived. In fact, a number of clauses have either been deleted or modified.

I would like to express my appreciation to the managers for the work they have done and also to Mr. Walsh, the Parliamentary Draftsman, who, at a moment's notice, came to the assistance of the conference managers and very capably handled all the drafting work that resulted from the conference. The member for Mt. Lawley, too, because of his legal knowledge, was very helpful, in conjunction with Mr. Walsh, and I would like to acknowledge his very able support when the report was compiled. I move—

That the report be adopted.

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

QUESTIONS.

NATIVE FLORA.

As to Protection, Northern Areas.

Mr. WILD asked the Minister for Lands:

(1) Is he aware that branches and divisions of the Country Women's Association in northern areas are concerned at the action of his department in allowing native flora, i.e., native shrubs and wild flowers, growing on light lands alongside the main highway between Perth and Geraldton, and Geraldton to Mullewa, and other main centres, to be ploughed in?

(2) What width of land is resumed on these roads through light land areas?

(3) Is he aware that, following approaches by the member for Greenough his department gave assurance of protecting the peculiar sandplain shrubs as tourist attractions?

(4) Will he undertake to resume sufficient width of land so that reasonable areas of native shrubs and wildflowers can grow and bloom in their natural state, and to see that farmers owning land adjacent to the road will be prevented from ploughing up all natural growth to the edge of the road proper?

The MINISTER replied:

(1) The greater portion of the land along the highway is private and the Government has no control over the ploughing operations.

(2) It is the policy of the department and the Main Roads Board to establish three chain roads for highways, but this

policy is limited where highways are already in existence. Resumptions are made as and when required.

(3) It is the Government's policy to protect wild flowers. Large reserves exist for this purpose and approval has been given to establish four more large national reserves to protect the Western Australian fauna. One of these reserves is in the Hill River district of the Midlands.

(4) The undertaking cannot be given without full investigation. It is doubtful if a three-chain reserve would give the required protection.

NATIVE WELFARE.

As to Alvan House and McDonald House Trainees.

Mr. HEAL asked the Minister for Native Welfare:

(1) How many native girls have passed through Alvan House?

(2) How many at present are living at Alvan House?

(3) How many native boys have passed through McDonald House?

(4) How many at present are living at McDonald House?

The MINISTER replied:

(1) Thirteen.

(2) Thirteen.

(3) Six.

(4) Five.

RAILWAYS.

(a) As to Use of Welded Rails.

Mr. HEARMAN asked the Minister for Railways:

(1) Is it the policy of the W.A.G.R. to use welded rails in all its track relaying projects?

(2) If the answer to No. (1) is in the negative, to what extent is this type of rail to be used in the track rehabilitation proposals?

(3) How does the cost of laying this type of rail compare with the standard fishplate jointed rail?

(4) How does the maintenance cost of track laid with welded rails compare with that of track laid with standard fishplate joints?

The MINISTER replied:

(1) No.

(2) 80 lb. welded rails are being laid in the Eastern Goldfields Railway and the South-Western Railway. 60 lb. rails will be laid either jointed or welded depending upon whether welding capacity is available.

(3) The welding plant has not been in operation sufficiently long for detailed costs to be determined.

(4) It would require at least 12 months' experience before a reliable comparison of costs could be made.

(b) As to Welded versus Jointed Rail Costs.

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

In reply to my question concerning welded rails, the Minister said he was unable to give any detailed costs. Could he indicate to the House in general terms whether the use of welded rails is more expensive in the relaying process? His answer indicated that the department blundered into it, which I am sure is not the case. I would like some information on what the department expects.

The MINISTER replied:

I have read a number of scientific articles originating from America in connection with the use of welded rails for railway tracks. The generally accepted opinion is that the initial costs for welded tracks is somewhat in excess of the cost of the jointed track, due to the cost of welding the rail in the first place and because of the additional amount of ballast that has to be used when the welded track is resorted to. It is the consensus of opinion amongst American railroad engineers that the maintenance costs on a welded track are considerably less than on a jointed track, and that in a period of seven years the additional initial costs incurred are recouped to the department by lesser maintenance costs which are involved.

ROYAL VISIT.

As to Special Session of Parliament.

Mr. BOVELL asked the Premier:

With reference to my recent suggestion in the Legislative Assembly, will he please take the necessary action to see whether Her Majesty the Queen would be graciously pleased to open a special session of Parliament in Western Australia during Her Majesty's visit to Western Australia in March, 1954?

The PREMIER replied:

This matter is receiving consideration.

QUEEN'S GIFT FUND.

As to Officials' Stipends.

Mr. CORNELL asked the Premier:

(1) Is it a fact that some persons associated with the Queen's Gift Fund in this State are being paid stipends from the fund?

(2) If so, will he indicate—

(a) the duties of each paid official;

(b) the rate of remuneration being paid to each?

The PREMIER replied:

(1) Yes, three.

(2) (a) Organising work.

(b) Mr. R. G. Clark (fund organiser) at the rate of £1,300 per annum.

Mr. I. M. Percival at the rate of £730 per annum.

Miss Sylvia Placanica at the rate of £215 per annum.

It is understood these three people will be employed only until the end of February.

The director (Mr. Richard Allingham) acts in a purely honorary capacity.

The State Government pays the salaries of the secretary (Mr. John C. Morrison), Miss A. B. Edwards (organising) and Mrs. Jean Little (administration).

Midnight.

GOLDFIELDS WATER SUPPLY.

As to Originators and Mr. W. Grayden's Statements.

Mr. J. HEGNEY (without notice) asked the Premier:

In a report on the origin of the Eastern Goldfields water scheme in Western Australia, made by Messrs. Alexander, Crowley, and Legge of the Department of History, the University of Western Australia, the following passage appears and is an extract from Professor Murdoch's report, page 116:—

"Mr. Grayden" innuendo in the House on November 5th, 1947, (Hansard, p. 1734) to the effect that the Historical Society had distorted the truth 'even to the extent of pre-dating documents' is entirely without foundation in fact. His statement, on the same day, that a passage in Mr. H. M. Wilson's report on the beginnings of the Goldfields Water Supply contained "a deliberate lie" is also without foundation in fact. I do not know the extent to which "parliamentary privilege" allows a member to make such statements; I think that, by ordinary codes of honour, Mr. Grayden owes an apology to the Historical Society and another to Mr. Wilson."

In view of the findings in the report by the Department of History on the origins of the Goldfields water scheme, will the Premier contact Mr. W. Grayden, M.H.R., and ask him if he now prepared to make a public retraction and apology for the intemperate and abusive statements he made about a number of respectable people while he was a member of this House?

The PREMIER replied:

I have not yet had an opportunity to read the report. I would not propose to make any personal approach to Mr. Grayden, M.H.R. If the question and answer receive publicity, it will be for Mr. Gray-

den to decide whether in the circumstances he should make an apology; if he decides that way, it is then a question of whether he will, in fact, make that apology.

AIRPORT.

As to Commonwealth Proposals.

Mr. HUTCHINSON (without notice) asked the Premier:

(1) Has he any information regarding Commonwealth proposals to construct a major airport here capable of handling the world's largest aircraft?

(2) If so, would he supply that information?

The PREMIER replied:

(1) and (2) No, but I will have inquiries made to see if there is any move proposed along the lines suggested by the hon. member.

WATER SUPPLIES.

As to Inefficiency of Metropolitan Mains.

Mr. JAMIESON (without notice) asked the Premier:

(1) Is he aware that many householders have been without water for considerable periods already due to the inefficient mains in several districts this summer?

(2) As a matter of urgent necessity, would he make funds available for the provision of larger reticulation mains at an early date?

The PREMIER replied:

(1) and (2) I understand that water supply during the last two or three very hot days has been weak in some areas and at some stages possibly non-existent. As far as I understand the position, the major weakness is the inability of existing mains to bring sufficient water down from the Canning Dam to the metropolitan area. I will consult with the Minister for Water Supplies and, within the ability of the Treasury to provide additional loan money, and within the physical ability of the Water Supply Department to push on with improvements, this work will be carried out as far as possible.

TRAFFIC.

As to Theft of Member's Car.

Mr. NALDER (without notice) asked the Premier:

In view of the fact that a member of this House had his car stolen from outside Parliament House the other night, will he take action in some way or another to try to deter thieves from making a further attack on cars belonging to members. Possibly he might give consideration to more lights being installed on the street outside Parliament House to help prevent this sort of thing from happening again.

The PREMIER replied:

Yes.

CLOSE OF SESSION.

(a) As to Probable Date.

Hon. Sir ROSS McLARTY (without notice) asked the Premier:

In view of the fact that there are still 22 items on the Legislative Council notice paper, does he consider there is a chance of finishing the session before Sunday morning, and giving proper attention to the legislation that is before Parliament? In view of that fact, I would also ask him what steps he proposes to close this session and when. If he proposes to sit on prior to Christmas, what time does he expect will be given to members to get to their homes?

The PREMIER replied:

I propose within the next half hour or so to have a talk with the Government leader in the Legislative Council to try to ascertain what possibility, if any, he thinks the Legislative Council has of finishing its business within, say, the next seven hours. If he gives me to understand there is no possibility of finishing within the next eight or 10 hours, then it seems to me it would perhaps be advisable to adjourn either until early next week or early in January.

After having had a talk with the Chief Secretary, I propose to discuss the matter with Ministers, and I expect to be in a position within an hour or so to indicate to members what we think might be done. Actually, the Government does not control the amount of time taken up by members either in this House or another place, and it would not be possible for me to indicate, therefore, except by guesswork, just how much time might be needed to complete the session in this House or in the Legislative Council.

(b) As to Bills to be Introduced.

Mr. HUTCHINSON (without notice) asked the Premier:

Can he at this stage guarantee that no more Bills will be introduced this session?

The PREMIER replied:

No. There is one Bill which we must introduce and pass otherwise the members of Parliament would not get their salaries in January. The Appropriation Bill has yet to be introduced, and is, of course, always introduced when the Legislative Assembly has completed its consideration of the revenue estimates.

Mr. Hutchinson: Will that be the only one?

The PREMIER: I hope so.

BILLS (2)—RETURNED.

1. Road Closure.

Without amendment.

2. Land Agents Act Amendment.

With amendments.

**BILL—RENTS AND TENANCIES
EMERGENCY PROVISIONS
ACT AMENDMENT.**

Council's Further Message.

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

**BILL—WORKERS' COMPENSATION
ACT AMENDMENT.**

Council's Further Message.

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

**MOTION—MATRIMONIAL CAUSES
AND PERSONAL STATUS CODE.**

To Disallow Legal Costs Regulation.

Debate resumed from the previous day on the following motion by Mr. Lawrence:—

That the amendment to Rule 166 made under the Matrimonial Causes and Personal Status Code, 1949, as published in the "Government Gazette" of the 4th December, 1953, and laid upon the Table of the House on the 8th December, 1953, be, and is hereby, disallowed.

THE MINISTER FOR JUSTICE (Hon. E. Nulsen—Eyre) [12.12 a.m.]: I must oppose this motion. Although I did not hear what the member for South Fremantle had to say, I have read his speech. This motion is a non-party one, so each one of us can vote according to his conscience. After careful consideration, the judges under the Supreme Court Act, can promulgate any rule or regulation for the working of the court in regard to legal practitioners' charges, etc. These have only to be inspected, and they are then laid upon the Table of the House for the scrutiny of members.

The Executive has no jurisdiction. The preparatory work is quite considerable, and although the amount of money earned in a short period might seem to be large, it may take months to co-ordinate the material. Undefended cases take a long time, though perhaps not as long as defended cases. I know there are some lawyers who might take advantage of this, but the majority of them are honest and do their best.

I quite appreciate the stand taken by the member for South Fremantle, because he realises that wages have been pegged. The hon. member feels that the charges of lawyers should also be pegged. There are two kinds of legal costs; namely, those of (a) solicitor and client and those of (b) party and party. Under the solicitor and client scale the solicitor charges in accordance with approved scales for all the work he has properly done for that

client. The party and party costs are what is allowed by the court to one party or the other after deciding the case.

The present divorce Rule 166 was made by the judges and duly promulgated on the 19th October, 1949. It provides for a scale of fees on a "party and party" basis, that is, the party ordered to pay costs is only liable to pay the fees as laid down in the scale. Even if the solicitor in any particular case has had to do a lot more work than is usual, nevertheless the court can only award party and party costs, and the solicitor recovers from his own client the difference between the total amount which is due to him on a solicitor and client basis and the amount which he recovers from the award of costs on a party and party basis.

Under Rule 166, which has been in force since 1949, the solicitor's client, even though the court awards costs in his favour, is still liable to the solicitor for the balance of the solicitor's costs on a solicitor and client basis. Under the proposed new rule as recently gazetted, admittedly a higher scale of fees is provided, but there is also a provision that, subject to a written agreement as to costs as provided by the Legal Practitioners Act, the fees and disbursements allowed under the new rule shall apply both as between party and party and as between solicitor and client, unless in effect the taxing officer of the Supreme Court otherwise orders.

Therefore, under the new rule, the party in whose favour an order for costs is given is completely indemnified and does not have to pay anything more to his solicitor unless there is a written agreement to the contrary, or unless the taxing officer in a proper case otherwise orders. The new scale admittedly provides for an increase in fees but not as much as 50 per cent. as mentioned by the member for South Fremantle. There has, of course, been some inflation since October, 1949. Bearing in mind an altered value of the £ since 1949 and also the fact that the party in whose favour an order for costs is made will normally be completely indemnified for costs under the new rule, the percentages of increase under the new rule would not seem untoward. In practise in most cases it will be the wife who will be much better off under the new order than under the rule made in 1949.

As has been acknowledged in this debate, there is a lot of work for a solicitor to do in preparing a case for divorce. The appearance in court when the decree for divorce is made is merely the culmination of a lot of careful work involving many hours of attendances and careful preparation. The allegation that some lawyer overcharged in a workers' compensation case is no argument to support the disallowance of this new rule.

I have no knowledge of what Perth lawyers pay in taxation, but the mere fact that some lawyers pay high amounts in taxation does not support this motion, unless it can be shown that the lawyer's income was derived wholly or substantially from handling divorce matters, and that has not been alleged by the member for South Fremantle. From such information as I have, I should be very surprised if there were more than one or at the outside two lawyers in Perth who pay £3,000 in taxation; and if they do, it is unlikely that their incomes were derived entirely from legal work.

It is also immaterial to this debate what fees private inquiry agents charge for their services. The point at issue is what fees solicitors should charge for services in divorce matters. As to this, it is known that the judges have been considering this new rule for a considerable period, and they have unanimously agreed to it as being fairer to all parties than the previous rule, and fair and proper in itself.

If the rule is disallowed, the disallowance is tantamount to saying that we do not agree that the judges are being fair. The judges are handling divorce matters all the time, and they are in the best position to know what is the fair thing for all parties concerned. For these reasons I oppose the motion.

Mr. Hutchinson: Does Cabinet agree with the views you have expressed?

The MINISTER FOR JUSTICE: I have not referred this to Cabinet. I feel that the member for South Fremantle has looked at the matter from his point of view without going into it very deeply. I know, from my own experience with the Crown Law Department for about eight years, that a tremendous amount of work has to be done—far more than I had imagined before I became associated with that department.

Mr. Lawrence: The Minister realises, of course, that I have not been in a divorce action.

The MINISTER FOR JUSTICE: I feel that I have a duty to do in defending any decisions that come from my office, and that I feel are just. In this instance, I consider the judges were quite impartial in submitting Rule 166. It provides a protection, especially to the wife—not, of course, that the wife should always be protected in a divorce case. But, though women are sometimes more in the wrong than men, I think that, generally speaking, men make the greater mistakes and are the cause of more divorces than are women.

Mr. McCulloch: That is questionable.

The MINISTER FOR JUSTICE: I do not think the hon. member has any cause to express himself along those lines. I oppose the motion, and feel that had the

member for South Fremantle gone through the divorce court, he would have been in a better position to discuss this Bill.

MR. LAWRENCE (South Fremantle—in reply) [12.24 a.m.] I feel that I should reply to the Minister. In submitting the motion, I expressed my opinions at length, and do not want to cover the same ground again. I have a lot of respect for the judiciary, and I believe they think that by means of this rule, they are protecting the plaintiff in a defended or an undefended action. But that is absolutely fallacious. As I have pointed out before, costs are paid prior to any inquiry being made by the lawyer concerned; and if he is not paid the full amount, the further amount that the regulations provide for has to be paid before the case is taken into the court. I know that that is the situation, and the plaintiff is not being protected in any sense. Is it not logical to assume that the judges, in giving consideration to the fees charged by lawyers, will tend to lean towards their legal brethren?

It has been suggested that considerable work is done in connection with undefended divorce actions. Up to the 31st December, 1952, there were 735 divorce cases in this State. Out of those, quite a number were undefended; and, as the records of the daily Press will disclose, all that had to be done in the way of preparatory work in connection with those cases was that the names of the respondents had to be taken, and advertisements inserted in the papers indicating that they would be called before the court on a certain date and, if they did not appear, judgment would be given against them.

One of the judges who made this decision was the man who froze the basic wage. How then can he justly sign his name to a regulation providing that his brethren in the legal fraternity shall be awarded an increase of 45.45 recurring, which, I suggest, is a very steep increase?

Hon. Sir Ross McLarty: Surely they are the best judges in this case.

Mr. LAWRENCE: Possibly they are; but I do not see the fairness in it. The Leader of the Opposition seems to think that the worker can have his quarterly adjustment frozen and yet the people in the legal profession should receive the increase I have mentioned.

Hon. Sir Ross McLarty: How long is it since there was an increase?

Mr. LAWRENCE: The last increase, according to the "Government Gazette", was on the 19th October, 1949.

Mr. Hutchinson: Was it substantial?

Mr. LAWRENCE: The figure was 35 guineas for an undefended action, and that has risen to 45 guineas. For a defended action, the figure was 55 guineas and that has risen to 66 guineas. But Regulation 166 gives lawyers the right to increase the figure to 75 guineas, which

is not a bad rise in pay. In the meantime, the basic wage has not risen to the same extent. The Minister has pointed out that this is a non-party matter, but I feel that this regulation should be disallowed. If in 12 months' time, the judges agree that the quarterly adjustments in the basic wage shall be allowed, then we can reconsider the question.

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

Ayes	19
Noes	10
Majority for	9

Ayes.

Mr. Ackland	Mr. Johnson
Mr. Andrew	Mr. Lawrence
Mr. Brady	Mr. McCulloch
Mr. Graham	Mr. Norton
Mr. Heal	Mr. O'Brien
Mr. J. Hegney	Mr. Rhatigan
Mr. W. Hegney	Mr. Sleeman
Mr. Hutchinson	Mr. Styant
Mr. Jamieson	Mr. Oldfield

(Teller.)

Noes.

Mr. Abbott	Mr. Nulsen
Mr. Court	Mr. Owen
Mr. Hawke	Mr. Watts
Sir Ross McLarty	Mr. Yates
Mr. Nalder	Mr. Hearman

(Teller.)

Question thus passed.

MOTION—FREMANTLE HARBOUR.

As to Proposed Extension Scheme.

Debate resumed from the 18th November on the following motion by Hon. J. B. Sleeman:—

That this House requests the Government to go on with the outward extension to the south scheme instead of the upriver scheme for the Fremantle harbour.

MR. JAMIESON (Canning) [12.34 a.m.]: From a perusal of parliamentary documents over the last few years, I find that this matter has been dealt with time and again, and I certainly feel it is high time that a decision was made. I intend to support the motion tonight, but I suggest the Government should look closely at the recommendation to extend the harbour seawards instead of going further into the river. The Minister said it was not the intention to go further upstream than the whereabouts of the present traffic bridge.

The reclamation and dredging work going on in the river could well be done for the purpose of extending the harbour outside where it would be better in the long run. Over the years there have been many reports from eminent engineers on the Fremantle harbour, and they have cost the State many thousands of pounds, if not hundreds of thousands of pounds. I doubt whether much has been done to implement any of them.

I suggest that these reports indicate that an ounce of commonsense is worth a ton of engineering ability when making a recommendation; especially if it is not carried out. When a decision is made by the Government to provide additional berths at Fremantle, the Minister should decide to go outside and commence a harbour that is worthy of this State and of the industrial development that we can expect in the next few years.

MR. YATES (South Perth) [12.37 a.m.]: I support the motion. I have listened on many occasions to the hon. member discuss the future expansion of port facilities. If any of us should know what is required at the port of Fremantle, it is the hon. member. He has taken an active part in matters relating to the waterfront for a good many years.

Mr. Ackland: Do you think the engineers know anything about it?

Mr. YATES: I shall come to that point. The member for Fremantle has on many occasions placed his views, together with the engineers' reports, before the House. When Col. Tydeman submitted a report two or three years ago, he gave two alternatives. One was the upriver extension of the harbour and the other was the seaward extension. At that time we did not envisage the installation of the facilities at Kwinana for the refining of crude oil, or the establishment of the other industries that are to be set up there.

Today the whole position has changed. Because of the enormous extension of industry south of Fremantle towards Rockingham, and the expansion that must take place in the future in the port facilities at Fremantle, there is only one answer to the problem, and that is to accept the second report of Col. Tydeman. His report was very fair indeed. He summed up for and against going upriver and for and against going outside. There did not appear to be very much between his arguments either way, although I consider he leaned slightly towards the idea of going upriver; but that was several years ago.

I would say that if today he had to make his report over again, knowing of the expansion of industry generally and the establishment of heavy industry between Fremantle and Rockingham, he would change his mind completely and would favour a seaward extension of our port facilities. The upriver extension would mean enormous costs for resumptions, in addition to which the Government would be put to large expense in the matter of new railway tracks, new roads and the removal of established business premises to some other place with, possibly, high compensation involved.

All these factors have to be taken into consideration. I have been most interested to hear the member for Fremantle speak

on this matter on many occasions. Like the member for Albany, he has taken a sincere interest in his own electorate, especially with regard to port facilities. We often laugh at both the member for Fremantle and the member for Albany because of the number of occasions that they rise in the Chamber and try to impress upon us the necessity for spending loan moneys in their electorates and on port and harbour facilities. But deep in our hearts we know that they are on the right track. They know what they are talking about because they have studied their subject.

The Minister for Justice: If there were a port at Esperance, we would not need all these debates.

Mr. YATES: I have been to Esperance on a number of occasions and have seen it in both windy and calm weather and I would say that in many ways Esperance is better than either Albany or Fremantle, but there is not the population in that district to warrant a lot of shipping calling there; but it will come in the future. I imagine that one day Esperance will be a big port.

The question before us at the moment concerns Fremantle harbour. Many members have spoken on this subject, and although a lot have been critical, not many have put up a really concrete proposition, which could be accepted by the House. We leave that to the experts—the engineers—as the member for Moore mentioned. Governments in the past have spent a lot of money in arranging for experts such as Col. Tydeman, D. W. Brisbane and others to make exhaustive inquiries into the difficulties, not only of the port of Fremantle, but those that have confronted port authorities in other States and other parts of the world.

We, in Western Australia, should be able to benefit from the experience gained by the older port authorities. Today, because of the expansion in the State, the need for the provision, quickly, of greater harbour facilities is more apparent than ever. In my opinion, we would overcome many of our financial as well as engineering problems by making an artificial harbour, seaward.

Much has been said about the danger in wartime. I have seen harbours bombed. I was at Tobruk and I saw 65 ships sunk in that harbour. There was a boom across the harbour but still submarines used to get in, and the port was bombed from the air as well. Haifa, which had the best defences in the world because of the oil installations, used to be bombed from the air and no harbour or port is safe during wartime if the enemy can get to it with aircraft or underwater craft. During wartime it would make no difference at Fremantle if the port were extended seaward or upriver, because a strong, determined enemy could destroy it with air-

craft if he wished. The times of peace are more important because we have far longer periods of peace, even though we must always bear in mind the dangers of war.

If the Government felt that there was danger of a war, why did it build the power house at South Fremantle? For the simple reason, as I mentioned before, that if the power house were built at Collie or the other side of the Darling Ranges, bombers could still bomb it at night-time even if it were not visible from the air. Our bombers in England used to cross to Germany during the war, pinpoint their targets at night and destroy them.

Mr. Oldfield: You have been listening to the member for Cottesloe.

Mr. YATES: I suggest the hon. member listens to the member for South Perth. So the bogey of danger in wartime is not as great as one might think. Let us build for peace; let us build for the security of our own people and let us make the best use of the limited loan money available. I think loan funds could be used to extend seawards the port facilities at Fremantle; that would overcome many of the difficulties mentioned by the member for Fremantle and it would be more acceptable to the people in the district, especially those who have been established in business for many years and who might lose the houses in which they reside or the businesses in which they are engaged.

Mr. Hutchinson: Where would you place the new railway bridge?

Mr. YATES: I would leave that to the experts.

Mr. Hutchinson: But it has a bearing on the question.

Mr. YATES: If the port is extended seawards, it may not be necessary to touch the railway at all. But if the port is extended upriver, there is a suggestion that a certain area can still be utilised and for a few years, at any rate, some arrangements would have to be made for a deviation of the railway system.

Mr. Oldfield: If they come up the river much further they will have the port at the Mends-st. jetty.

Mr. YATES: The tugs used to come to Perth at one time and they engaged in a lot of work on the river, but all that is now done at Fremantle. I strongly support this motion because I think it is a good one and we should lay down some time for a start on this most vital work. Do not let us delay, even if it means using some of our loan money for the purpose. In past years we have heard so much about what is required at Fremantle, but so far little has been done. Now that we have overcome a lot of our problems as regards engineering equipment, and skilled labour for the building of a harbour, we could follow the same procedure as was adopted by the State Electricity Commission. That body floated a loan and so was able to get

its work completed. The interest on the loan could be made a charge against those who used the new port facilities. I have great pleasure in supporting the motion.

On motion by the Minister for Labour, debate adjourned.

BILL—WAR SERVICE LAND SETTLEMENT SCHEME.

Council's Amendments.

Schedule of three amendments made by the Council now considered.

In Committee.

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

No. 1. Add at the end of Clause 6 the following proviso:—

Provided that nothing contained in this Act or in any regulations made pursuant to authority granted by this Act shall in any way alter, prejudice or affect or permit the alteration of the terms or conditions of any perpetual lease heretofore granted or the terms or conditions upon which the Minister has heretofore approved of the granting of any perpetual lease or has otherwise agreed to grant leasehold rights to any applicant within the meaning of the repealed Acts or render any such applicant liable to pay rental or purchase money for land and/or non-structural improvements and/or structural improvements in excess of that rental or purchase money which he would have been liable to pay if this Act or any such regulation had not been passed or made.

THE MINISTER FOR LANDS: I feel that no responsible Minister of any party could possibly agree to this amendment. It seems that the mover, and those who supported him, have little appreciation of the real situation that exists or they have deliberately set themselves out to sabotage war service land settlement in Western Australia. I prefer the former view and may be, through the lateness of the session or for some other reason, they have been unable to appreciate what this action of theirs would mean to the State.

Mr. Ackland: Do you think your report might have influenced them?

THE MINISTER FOR LANDS: I do not think the report of last year would influence them to take an action of this kind. Two files dealing with this subject have been on the Table of the Legislative Council for more than a week and, as far as is humanly possible, the recommendations in the report have been carried out.

Mr. Nalder: Except the main one.

THE MINISTER FOR LANDS: At the beginning of this year there was a change of Government and I took over as Minister for Lands. There were certain mat-

ters in connection with the report that I thought ought to be done as quickly as possible and one was to see how far the recommendations of the select committee could be implemented and to take up the question of averaging. The main point at issue was in respect of averaging and that was one of the first things I took up with the Commonwealth after assuming office. The Commonwealth controls the finance which makes the scheme possible and a State Minister cannot be blamed for failing in this regard because the Commonwealth has clearly laid down that it will not accept the proposition submitted. With that one exception, all other aspects in the report have been attended to. So I fail to see how any member in the Legislative Council, after reading the report and the files could submit an amendment of this kind.

The proposed amendment cuts right across the conditions laid down by the Commonwealth Government and, consequently, would be unacceptable to it. The amendment is really divided into three parts and there seems to be fear in the hon. member's mind that all the settlers who have previously been settled under the scheme and have received their leases and valuations under the 1945 legislation, will be affected by the Bill. Also, those who followed on, because of the doubtful legality of the State Act, were issued with a statement instead of a lease. They were asked to sign that, and it was accepted in good faith by the State as a lease document. When it becomes possibly legally to issue a lease, all the items that the settler signed for will be accepted legally. The fear behind the mover of the motion is that the Bill will be retrospective in its application. That is not so and therefore at least two-thirds of the amendment is entirely unnecessary. By no stretch of the imagination could the Bill be accepted as legally binding in such cases.

1 a.m.

The last portion of the amendment created such a doubt in my mind that I took every possible step to find out the position from our own and the Commonwealth legal officers. If the amendment were carried, the State would be placed in the position where it would have an Act of Parliament which lays down that the Minister shall do certain things one of which, according to the amendment, is that he shall not charge more rent than he would have done had the Bill not been passed by this Chamber. That cuts across the scheme completely. It breaks down the conditions which the previous Government had accepted from the Commonwealth for war service land settlement, and creates a most invidious position for the Minister who will have to decide whether he should follow his own Act of Parliament, assuming this amendment is included in the Bill, or whether he

should follow the conditions that have been accepted by this Government and the previous Government and laid down as the only conditions under which the Commonwealth Government would issue finance for war service land settlement.

No Minister can go both ways; if he accepts the State law, as it will then be, he will place the war service land settlement scheme in this State in jeopardy, because the Commonwealth Government will be in a position to exercise its rights under Section 96 of the Constitution, under which it issues money for the scheme, to refuse any money because our Act of Parliament will not then comply in any way with the conditions laid down.

Mr. Nalder: You mean land settlement in the past, or land settlement in the future?

THE MINISTER FOR LANDS: I am talking about land settlement in the future and also that section dealing with settlers on the land who have not yet received their leases and on whose farms work requires to be done. They have not received their final valuations or their leases. I refer to all those settlers who have been on the land from 1952 since when these conditions had been accepted by the previous Government.

This is a very serious situation. I do not think the Legislative Council understands what this amendment implies, and what effect it will have on war service land settlement in this State. As the responsible Minister I would not hesitate for a moment in asking the Committee to reject this amendment because I know for a positive fact that it would be impossible to operate war service land settlement in this State if the amendment were incorporated in our legislation.

The only reason the Bill was brought before the House was because of a decision made by the select committee which sat last year. The committee considered that it was not right or proper, in a parliamentary sense, to undertake either an agreement or to accept conditions from the Commonwealth Government without reference to the State Parliament. There was no necessity to have a Bill at all. Mr. Loton, who moved this amendment in the Council, feels that the Commonwealth has instructed Western Australia to introduce a Bill such as this. It is nothing of the kind. War service land settlement was operating in this State, without any legal standing at all. We can do what they are doing in South Australia, South Australia works under exactly the same conditions as we have here without any Act of Parliament.

As chairman of the select committee last year, I felt that was wrong, as did the other members of the committee. That is why this Bill is before the House and why a copy of the conditions has been supplied. The only reason those conditions were attached to the Bill was because when

Parliament rises, as it will today or early next week, there might be some necessity, which we cannot envisage at present, to make slight alterations to the conditions, either on the representation of the Commonwealth or of the State.

If the conditions are incorporated in the Bill we can do nothing at all for six months until Parliament sits again. That is why in another place I provided every member with a copy of the conditions and made a promise, which has been included in the Bill, that whenever there are any amendments to be made to these conditions, they will be laid on the Table of the House within six days.

So the whole situation is fully covered in that way. I do not think any member should take umbrage at the fact that the recommendations of the select committee last year down to the last detail have not been attended to by me. This amendment to our legislation will make war service land settlement unworkable in this State. If it is found possible to work under the present set of conditions for war service farms in Western Australia without this legislation, it would mean that the Commonwealth Government would then have to take responsibility for completing the farms in every detail, with all fences, water supplies and houses finished. Then at the end of that time when a farm is so completed, it would have to hand it over to the settler and say, "It is all yours." The weakness is that a settler would be denied the right to work on his own property as an allottee-designate for the 18 months or two years beforehand, doing work for himself and reducing his capital indebtedness. I do not think that members of another place knew what they were doing. As a result of that, I move—

That the amendment be not agreed to.

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

No. 2. Clause 9, page 7: Insert before the word "Things" in line 16 the words "Subject to the proviso to Section 6 of this Act."

No. 3. Clause 10, page 7: Insert before the word "The" in line 21 the words "Subject to the proviso to Section 6 of this Act."

THE MINISTER FOR LANDS: I object to these two amendments. They are consequential on the first. I move—

That the amendments be not agreed to.

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

Resolutions reported and the report adopted.

A committee consisting of the Minister for Mines, the Minister for Lands and Mr. Nalder drew up reasons for not agreeing to the Council's amendments.

Reasons adopted and a message accordingly returned to the Council.

BILLS (2)—RETURNED.

- 1, Pensions Supplementation.
 - 2, Acts Amendment (Allowances and Salaries Adjustment).
- Without amendment.

BILL—INCOME AND ENTERTAINMENTS TAX (WAR TIME SUSPENSION) ACT AMENDMENT.

Council's Message.

Message from the Council received and read notifying that it did not insist upon its amendments.

BILL—TRAFFIC ACT AMENDMENT.

Council's Message.

Message from the Council received and read notifying that it disagreed to the amendment made by the Assembly.

BILL—COMPANIES ACT AMENDMENT (No. 2).

Council's Message.

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

BILL—PUBLIC WORKS ACT AMENDMENT.

Council's Amendment.

Amendment made by the Council now considered.

In Committee.

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

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

Clause 5, page 4—Delete the word "six" in line 33 and substitute the word "twelve."

The MINISTER FOR WORKS: The Council has altered from six months to 12 months the period for which interest shall be chargeable. While I regret that the Council has seen fit to do so, the point is not of sufficient importance to warrant further argument. I move—

That the amendment be agreed to.

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

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

BILL—FIRE BRIGADES ACT AMENDMENT.

Council's Amendments.

Order of the Day read for the consideration of a schedule of six amendments made by the Council.

The MINISTER FOR HOUSING: I move—

That consideration of the Order of the Day be postponed for three months.

Question put and passed.

Bill laid aside.

BILL—GOVERNMENT RAILWAYS ACT AMENDMENT.

Council's Amendment.

Amendment made by the Council now considered.

In Committee.

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

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

Clause 2, page 2—Delete paragraph (a) in clause 5 to 13.

The MINISTER FOR RAILWAYS: This proposal, objected to by the Legislative Council, refers to the appointment of a worker's representative on the commission. I believe that much good could come from having a representative of the workers on the commission, and that it would bring about a better understanding and a better relationship between the commission and its employees. I move—

That the amendment be not agreed to.

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

Resolution reported and the report adopted.

A committee consisting of the Minister for Railways, Mr. Brady and Mr. Hearman drew up reasons for not agreeing to the Council's amendment.

Reasons adopted and a message accordingly returned to the Council.

BILL—ELECTRICITY ACT AMENDMENT.

Council's Message.

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

RESOLUTION—STATE FORESTS.

Council's Message.

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

BILL—JUDGES' SALARIES AND PENSIONS ACT AMENDMENT.

Returned from the Council without amendment.

BILL—FIREARMS AND GUNS ACT AMENDMENT.

Council's Message.

Message from the Council notifying that it insisted on its amendments now considered.

In Committee.

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

The MINISTER FOR POLICE: I move—

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

Question put and passed.

Resolution reported and the report adopted.

Assembly's Request for Conference.

The MINISTER FOR POLICE: I move—

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

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

BILL—GOVERNMENT EMPLOYEES (PROMOTIONS APPEAL BOARD) ACT AMENDMENT (No. 1).

Council's Message.

Message from the Council notifying that it insisted on its amendment now considered.

In Committee.

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

The MINISTER FOR RAILWAYS: I move—

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

Question put and passed.

Resolution reported and the report adopted.

Assembly's Request for Conference.

The MINISTER FOR RAILWAYS: I move—

That the Council be requested to grant a conference on the amendment insisted on by the Council, and that the managers for the Assembly be Mr. Norton, Hon. A. F. Watts and the mover.

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

BILL—CATTLE INDUSTRY COMPENSATION.

Discharge of Order.

On motion by the Premier, Order discharged.

BILL—LAND AGENTS ACT AMENDMENT.

Council's Amendments.

Schedule of three amendments made by the Council now considered.

In Committee.

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

No. 1. Clause 6, page 3—Insert after the word "licensee" in line 22 the words and parentheses "(who shall be nominated by the Real Estate Institute of Western Australia)".

No. 2. Clause 6, page 3—Insert after the word "auditor" in line 30 the words "as defined in subsection (1)."

No. 3. Clause 6, page 7—Add to the clause the following section to stand as Section 14G:—

14G. (1) In this section, unless the context otherwise requires—

"banker" means the manager, or other officer, for the time being in charge of the office of a bank in which any account of a land agent is kept;

"trust accounts" means accounts relating to moneys received or held by a land agent for or on behalf of any other person;

"year" means a period of twelve months ending on the thirty-first day of December, subject however to the provisions of Subsection (5) of this section.

(2) (a) A land agent shall—

(i) keep full and accurate accounts of all money received or held by him on account of any other person and of all payments made by him of that money;

(ii) before the end of the next business day after the day on which the money is received or paid enter in the accounts particulars of the amount so received or paid and the person from whom it was so received or to whom it was so paid;

(iii) keep the accounts in such manner that they can be conveniently and properly audited;

(iv) correctly balance the accounts at the end of each month.

(b) In this subsection "business day" means a day other than Saturday, Sunday, or a public holiday.

(3) (a) When a land agent receives money for or on behalf of any other person he shall forthwith give to the person paying the money a receipt for it complying with this subsection and specifying briefly the subject matter or purpose in respect of which the money was received, and shall retain legible carbon duplicates of the receipt.

(b) Receipts issued under this subsection shall be taken from bound books containing not less than one hundred receipts and arranged so that a carbon duplicate of each receipt issued shall be retained in the book.

(c) The land agent shall produce the retained duplicates in the appropriate books to the auditor at every audit, and at such other times as the auditor may reasonably require.

(d) The receipts and the duplicates thereof shall be so numbered and/or lettered or both that every receipt can be identified and so that the receipt and duplicate have the same number or letter.

(e) This subsection does not apply in the case of a land agent if the auditor for the time being employed by the land agent certifies to the Minister that he is satisfied with the system employed by the land agent and that the receipt books are so kept and entered up as to enable the accounts to be properly and conveniently audited, and the Minister approves of the system employed by the land agent of recording the receipt of moneys.

(4) (a) Within three months after the end of each year, every person who carried on business as a land agent during the whole or any part of that year—

(i) shall cause his trust accounts for that year, or part of a year, as the case may be, to be audited by an accountant duly qualified and approved under this section; and

(ii) shall forthwith after the completion of the audit obtain from the auditor a report of the result of the audit verified by the statutory declaration of the auditor in the form prescribed by the regulations; and

(iii) shall forthwith send or deliver the report, together with the declaration, to the Minister.

(b) The first audit under this section shall be conducted within three months after the thirty-first day of

December, one thousand nine hundred and fifty-three, and shall be in respect of the period of six months commencing on the first day of July, one thousand nine hundred and fifty-three, which period of six months is deemed to be a year within the meaning of this section.

(c) Forthwith after completing an audit the auditor shall deliver his report and a signed copy of it to the land agent concerned.

(d) The land agent shall retain the signed copy of the report and produce it on demand pursuant to paragraph (b) of Subsection (14) of this section.

(5) (a) Notwithstanding anything in this section, a land agent may apply in writing to the Minister to fix some date other than the thirty-first day of December, as the date up to which his trust accounts are to be audited, and the Minister may, in his discretion, permit the land agent to substitute such other date for the thirty-first day of December.

(b) The Minister may, upon giving not less than one year's notice to the land agent affected, revoke any permission granted under this subsection.

(c) When permission is granted under this subsection the Minister shall fix the period in respect of which the first audit shall be made and the permission may be given upon such conditions, with respect to the time within which the first or any subsequent audit shall be made, or otherwise, as the Minister may think fit.

(d) So long as the permission remains in force, and subject to any conditions which may be imposed, this section shall, in relation to the land agent concerned, be read as if such other date was substituted for the thirty-first day of December.

(e) When any date has been substituted for the thirty-first day of December under this subsection, the date so substituted shall not be further changed except by permission of the Minister granted in accordance with this subsection.

(6) (a) No accountant shall be qualified to act as an auditor under this section unless he is approved by the Minister.

(b) Any accountant who—

(i) is a member of one or both of the societies or bodies following that is to say—

The Institute of Chartered Accountants in Australia;
The Australian Society of Accountants; and/or

(ii) is registered under Section 402 of the Companies Act, 1943-1953, as qualified to act as an auditor; and

(iii) is of good character, shall be approved by the Minister, but the Minister may refuse to approve—

an accountant who has not been continuously engaged, for at least three years, in practice as a public accountant in the State, either as a principal or as an employee in the office of a public accountant, or firm of public accountants; an accountant if it appears to the Minister that he is liable to forfeit, or to be deprived of his membership of any of the societies or bodies aforesaid, or that there is any other sufficient reason for refusing the approval.

(c) When the principal office or place of business of a land agent is situated more than twenty miles from the General Post Office at Perth, the Minister may, if he thinks fit, give his approval to the audit of the accounts of that land agent by any person who is in the opinion of the Minister, competent to make the audit, and so long as that approval remains unrevoked, the person so approved shall be deemed to be an accountant approved by the Minister for the purposes of the audit of that land agent's accounts, but not further or otherwise.

(d) No person shall audit the accounts of a land agent if he is a clerk, servant, or partner of that land agent, or if he is a clerk or servant of any other land agent actually in practice, or if he is himself a land agent carrying on business as such.

(7) Subject to the provisions of this section the auditor by whom the audit of, and reports on, a land agent's trust accounts are to be made shall be selected and employed for that purpose by that land agent.

(8) In the event of a land agent carrying on business at more than one place the Minister may from time to time give such directions as he thinks fit for separate audits of the trust accounts in respect of the business carried on at each place, or for the acceptance by the auditor of the certificates of some person or persons approved by the Minister with respect to the examination of the trust accounts kept at any branch of the business.

(9) The Minister may, if in his opinion just cause exists for doing so—

(a) revoke any approval granted by him to any person to act as auditor under this section;

(b) vary or revoke any other approval, direction, permission, or authority granted or given by him under this section.

(10) (a) In the exercise of the discretions conferred by this section the Minister may inform his mind as he thinks fit.

(b) A person aggrieved by any decision or determination of the Minister under this section may apply to the Minister in writing to refer that decision or determination to a judge of the Supreme Court for review.

(c) Upon the application, the Minister shall submit the facts to a judge for his opinion or direction thereon, and shall abide by the decision of the judge, which shall be final.

(11) (a) For the purposes of an audit or report under this section every land agent shall, as and when the auditor requires, produce to the auditor his books and all papers, accounts, documents, and securities in his possession, custody or power in any way relating to any moneys received by the land agent for or on behalf of any other person and shall furnish the auditor with all such information and particulars as he reasonably requires.

(b) The auditor may examine such books, papers, accounts, documents, and securities at any time, either during or after the end of the period in respect of which the audit is made.

(12) Every banker of a land agent shall, on the request of any auditor engaged in the audit of that land agent's trust accounts under this section, produce to that auditor all such books, papers, accounts, documents and securities as may be reasonably necessary for the purposes of the audit.

(13) Every auditor of a land agent's trust accounts shall include in his report furnished pursuant to Subsection (4) of this section a statement as to the following matters—

(a) whether the trust accounts of such land agent have in the opinion of the auditor been kept regularly and properly written up;

(b) whether the trust accounts of such land agent have been ready for examination at the periods appointed by the auditor;

(c) whether such land agent has complied with the auditor's requirements;

(d) whether such land agent's trust accounts are in order or otherwise;

- (e) any matter or thing in relation to such trust accounts which should in the opinion of the auditor be communicated to the Minister.

(14) (a) Every land agent shall prepare and certify under his hand and produce to the auditor who audits his trust accounts a statement setting forth in detail particulars of—

- (i) moneys held, on the last day of the period to which the audit relates, by the land agent for or on behalf of any other person; and
- (ii) negotiable or bearer securities, or deposit receipts in the name of the land agent which represent moneys drawn from the land agent's trust accounts and which are held by the land agent on that day.

(b) The auditor shall examine the statement and endorse on it a certificate as to whether or not it is correct, and deliver it to the land agent.

(c) The statement so delivered shall be retained by the land agent and be produced on demand to the auditor making the next succeeding audit of the land agent's trust accounts, together with a signed copy of the report of the last preceding audit of those accounts.

(d) Where a land agent's accounts are being audited for the first time or where for any other reason no statement containing the particulars set out in paragraph (a) of this subsection and relating to the previous period of audit, is available for the purpose of audit, the land agent shall in lieu thereof make out and produce to the auditor before the making of his report, a statement containing the like particulars as to moneys and negotiable securities held on the first day of the period to which the audit relates.

(e) Every statement made under this subsection shall be verified by the statutory declaration of the land agent, or, in the case of a firm of land agents, by the statutory declaration of one of the partners, or in the case of a company, by the persons holding a land agent's licence on behalf of the company pursuant to Subsection (3) of Section 3 of this Act.

(15) If an auditor in the course of auditing a land agent's trust accounts discovers that the accounts are not kept in such a manner as to enable them to be properly audited, or discovers any matter which appears to him to involve dishonesty or a breach of the law on the part of the land agent, discovers loss or deficiency of trust moneys, or failure to pay or ac-

count for any such moneys, or to comply with the provisions of this section, he shall fully set out the facts so discovered by him in the report to be delivered to the Minister, and shall furnish signed copies of the report to the land agent concerned.

(16) (a) Except where this section provides otherwise an auditor shall not divulge to any person, or in any proceedings any information which he has obtained in the course of conducting any audit under this section.

(b) An auditor is not guilty of a breach of this subsection by disclosing information—

- (i) by means of, or in a report made pursuant to this section; or
- (ii) in or for the purpose of any legal proceedings arising out of any such report or instituted in connection with the trust accounts of the land agent to whom the information relates.

(17) (a) On request by any person interested in any moneys or securities held or which ought to be held or which have been received by a land agent, the Minister may disclose to such person or his solicitor, such portion of any report of an auditor, or of any statutory declaration, statement, or other document delivered to the Minister under this section as affects or may affect such person.

(b) A report of an auditor under this section or a statutory declaration, statement or other document delivered to the Minister under this section shall be available in the hands of the Minister for inspection by the auditor appointed to audit the accounts of the same land agent for the next succeeding year.

(18) (a) A person who contravenes or does not observe any requirements of this section commits an offence.

Penalty: Fifty pounds

(b) If an offence against this section is committed by a company, the company itself and every director, manager, secretary or other officer of the company who commits, authorises or permits the act or omission constituting the offence, commits the offence.

(19) The fees payable by a land agent to an auditor for an audit under this section shall be such as are agreed on between the land agent and the auditor.

(20) A land agent who, in the course of his business, has in any year neither received nor held any money for or

on behalf of any other person shall be deemed to have complied with this section if within the period of three months after the end of that year he makes a statutory declaration to that effect and delivers the same to the Minister.

(21) Where trust accounts are kept by a firm of land agents an audit of those accounts under this section and the certificates and report of the auditor thereof operate as regards those trust accounts as an audit certificate and report in relation to each land agent who is a member of such firm.

On motion by the Minister for Justice, the foregoing amendments were agreed to.

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

BILL—ELECTRICITY ACT AMENDMENT.

Council's Message.

Message from the Council notifying that it insisted on its amendment now considered.

In Committee.

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

The PREMIER: This week the Committee decided to disagree with the Council's amendment. The Minister for Works has since advised me that the Crown Law Department is of the opinion that the corporation of any of its officers could, if thought necessary, be prosecuted under the Criminal Code for committing an offence under the Act. In the circumstances, it is not considered desirable that we should continue to disagree with the amendment. I move—

That the amendment be no longer disagreed to.

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

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

Sitting suspended from 1.55 to 2.44 a.m.

BILL—FIREARMS AND GUNS ACT AMENDMENT.

Council's Further Message.

Message from the Council received and read notifying that it had agreed to the Assembly's request for a conference on

the amendments insisted on by the Council and had appointed the Chief Secretary, Hon. Sir Charles Latham and Hon. C. H. Henning as managers for the Council, the Chief Secretary's room as the place of meeting and the time 10 a.m. Monday, the 21st December.

BILL—GOVERNMENT EMPLOYEES (PROMOTIONS APPEAL BOARD) ACT AMENDMENT (No. 1).

Council's Further Message.

Message from the Council received and read notifying that it had agreed to the Assembly's request for a conference on the amendment insisted on by the Council, and had appointed the Minister for the North-West, Hon. L. A. Logan and Hon. C. H. Simpson as managers for the Council, the Chairman of Committee's room in the Assembly as the place of meeting and the time 10 a.m. on Monday, the 21st December.

BILL—CREMATION ACT AMENDMENT.

Returned from the Council without amendment.

BILL—WAR SERVICE LAND SETTLEMENT SCHEME.

Council's Message.

Message from the Council notifying that it insisted on its amendments Nos. 1, 2 and 3 now considered.

In Committee.

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

The MINISTER FOR LANDS: I move—

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

Question put and passed.
Resolution reported and the report adopted.

Assembly's Request for Conference.

The MINISTER FOR LANDS: I move—

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

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

**BILL—GOVERNMENT RAILWAYS ACT
AMENDMENT.***Council's Message.*

Message from the Council notifying that it insisted on its amendment now considered.

In Committee.

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

The MINISTER FOR RAILWAYS: I move—

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

Question put and passed.

Resolution reported and the report adopted.

Assembly's Request for Conference.

The MINISTER FOR RAILWAYS: I move—

That the Council be requested to grant a conference on the amendment insisted on by the Council, and that the managers of the Assembly be Mr. Hearman, Mr. Brady and the mover.

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

Sitting suspended from 2.51 to 3.10 a.m.

BILL—WAR SERVICE LAND SETTLEMENT SCHEME.*Council's Further Message.*

Message from the Council received and read notifying that it had agreed to the Assembly's request for a conference on the amendments insisted on by the Council and had appointed the Minister for the North-West, Hon. C. H. Henning and Hon. A. L. Loton as managers for the Council, the Chief Secretary's room as the place of meeting and the time 4 p.m. on Monday, the 21st December.

**BILL—GOVERNMENT RAILWAYS ACT
AMENDMENT.***Council's Further Message.*

Message from the Council received and read notifying that it had agreed to the Assembly's request for a conference on the amendment insisted on by the Council and had appointed the Chief Secretary, Hon. L. A. Logan and Hon. C. H. Simpson as managers for the Council, the President's room as the place of meeting and the time 2 p.m. on Monday, the 21st December.

Tuesday, 22nd December, 1953.

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The SPEAKER resumed the Chair at 10.10 a.m.

Sitting suspended from 3.15 a.m. (Saturday) until 10.10 a.m. on Tuesday.