

## NOES.

Mr. Angwin	Mr. Mann
Mr. Chesson	Mr. Marshall
Mr. Clydesdale	Mr. McCallum
Mr. Corboy	Mr. Millington
Mr. Coverley	Mr. Pantou
Mr. Cunningham	Mr. Sleeman
Mr. Heron	Mr. Troy
Miss Holman	Mr. A. Wansbrough
Mr. W. D. Johnson	Mr. Withers
Mr. Kennedy	Mr. Wilson
Mr. Lamond	

(Teller.)

Amendment thus negatived.

Progress reported.

*House adjourned at 11.10 p.m.***Legislative Assembly,***Wednesday, 29th September, 1926.*

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

**QUESTION—MAIN ROADS BOARD.**

Mr. RICHARDSON (for Mr. Latham) asked the Minister for Works: 1, On what date did the members of the Main Roads Board take up their duties? 2, What amount of money from the petrol tax, stood to the credit of the Board on the 30th June, 1926? 3, What amount of money appropriated from the land tax, stood to the credit of the Board on the 30th June, 1926? 4, What

were the total credits, including the moneys provided under the Federal Aid Roads Act agreement, standing to the credit of the credit of the Board on the 31st August, 1926? 5, What work has been undertaken by the Main Roads Board since its inception—(a) new works; (b) reconstruction of main roads?

The MINISTER FOR WORKS replied: 1, 7th June, 1926. 2, £22,795 18s. 11d. 3, Nil. 4, £47,112 10s. 5, (a) Work has been carried on on some 98 developmental roads; (b) continuation of work on sections of Perth-Armadale and Perth-Northam roads and reconstruction of Upper Swan bridge

**QUESTIONS (2)—BUNBURY HARBOUR.***Dredging.*

Mr. WITHERS asked the Minister for Works: 1, Is he aware of the extent of the silting up that has taken place in the Bunbury harbour during the past winter? 2, Is it the intention of the Government to recommence dredging at Bunbury as a temporary expedient? 3, If so, when?

The MINISTER FOR WORKS replied: 1, Investigations are now being carried out to ascertain extent of silting since last dredging. 2, Yes, where investigations now in hand show it to be necessary. 3, November next.

*Improved Scheme.*

Mr. WITHERS asked the Minister for Works: What progress has been made in connection with the improved harbour scheme for Bunbury that was promised to a representative deputation of the South-West?

The MINISTER FOR WORKS replied: Investigations have been made to enable the Engineer-in-Chief to estimate the quantity of water flowing past Point McLeod during floods, and the direction of the flow through the harbour. A survey of the foreshore work from the wreck of the Carbet Castle to the mouth of estuary has been made, and soundings have been taken to determine the siltage over the area dredged by the "Sir William Matthews." Current readings under varying conditions outside the mole from one mile of the harbour, and a quarter and half miles of the foreshore, and also up to two miles north have been made, and these

readings are being continued. It is essential that the Engineer-in-Chief should have full information before designs for new works can be prepared.

### QUESTION—WUBIN-MT. MAGNET ROAD.

Mr. ANGELO asked the Minister for Works: 1, When will the road from Wubin towards Ningham, Payne's Find, and Mt. Magnet, at present under construction, be made available to the travelling public? 2, What is the distance of road constructed? 3, What is the cost of construction to date?

The MINISTER FOR WORKS replied: 1, In about 12 months' time. 2, 108 miles have been cleared. 3, Clearing has cost £2,581.

### POLICE BENEFIT FUND AND SUPER-ANNUATION SCHEME SELECT COMMITTEE.

#### *Extension of Time.*

On motion by Mr. Hughes, the time for bringing up the report was extended for four weeks.

### MOTION—P. F. GEMMELL'S FILE.

On motion by Mr. Sleeman, ordered: That the file relating to the disposal of P. F. Gemmell's property by the Master in Lunacy be laid on the Table of the House.

### MOTION—WROTH BANKRUPTCY CASE.

#### *To inquire by Select Committee.*

Order of the Day read for the resumption of the debate from 22nd September on the following motion by Mr. Richardson—

That a select committee be appointed to inquire into the allegations made by the "Subiaco Weekly" newspaper regarding the Wroth bankruptcy case.

MR. E. B. JOHNSTON (Williams-Narrogin) [4.43]: I understand that the proceedings in connection with the Wroth bankruptcy case are still *sub judice* and I therefore move—

That the consideration of the Order of the Day be adjourned.

Motion put and passed.

### BILL—RESERVES.

Report of Committee adopted.

### BILLS (4)—THIRD READING.

- 1, Broome Loan Validation.
- 2, Inspection of Scaffolding Act Amendment.  
Transmitted to the Council.
- 3, Co-operative and Provident Societies Act Amendment.
- 4, Shipping Ordinance Amendment.  
Passed.

### BILL—POLICE ACT AMENDMENT.

#### *Discharged.*

Order of the day read for the second reading.

HON. G. TAYLOR (Mt. Margaret) [4.44]: I have been informed that this Bill cannot be handled by a private member. It requires to be introduced by Message. I therefore move—

That the Order of the Day be discharged.

Question put and passed.

### BILL—STATE INSURANCE.

#### *In Committee.*

Resumed from 23rd September. Mr. Lutey in the Chair: the Premier in charge of the Bill.

Clause 9—Amendment of Section 10 of Workers' Compensation Act, 1912-1924 (partly considered):

The CHAIRMAN: When progress was reported, Mr. Taylor had moved that all words after "by" in line 3 be struck out, and the following inserted in lieu: "deleting the words 'approved by the Minister' and adding after the word 'office' the words 'or the State Government Insurance Office.'"

Hon. G. TAYLOR: The object of the amendment is to enable the Government to open an insurance office, but without interfering with the private companies now operating. The Government will be able to enter into competition with the private offices, but the private offices will not be handicapped by the operations of the State Insurance Office. The State office will still have an advantage over the private offices, for it will not have to pay rates or taxes:

it will be relieved of certain financial obligations that its private competitors will have to meet. The Government will be able to insure those whom they say the private companies will not insure. On Thursday last the Premier, in support of the clause as printed, rambled all over New Zealand and took a hurried trip to the Old Land.

The Premier: It was a dignified trip I made over New Zealand; I was not rambling.

Hon. G. TAYLOR: At all events, the Premier described that trip in lively phrases. The amendment should appeal to the Committee.

The PREMIER: I was rather impressed by the remarks of the hon. member on the second reading on Thursday last, and so on further consideration I have decided not to insist upon the Government being the sole body that may carry on workers' compensation insurance. This change in my attitude has been due entirely to the persuasive speech made by the hon. member, in which he said he would support the second reading if I would undertake not to insist upon the Government having a monopoly. At the moment I was not able to give that undertaking, but on reconsideration I think the Government will be able to carry on insurance business in competition with private offices.

Hon. G. Taylor: I am sure of it.

The PREMIER: So to that end I have no objection to the words proposed to be struck out being struck out. However, I propose not to agree to the words the hon. member desires to insert in lieu of those to be struck out. My intention is to move to insert other words, which I think will meet the object we have in view.

Hon. Sir James Mitchell: You agree to the striking out of those words?

The PREMIER: Yes. Afterwards we may not agree as to the words to be inserted.

Amendment (to strike out all words after "by") put and passed.

Hon. G. TAYLOR: I move an amendment—

That after "office" the following words be added: "or the State Government Insurance Office."

The PREMIER: The amendment I propose to move is that after "Minister" the words "or from the State Government Insurance Office" be inserted, with the addition of a proviso to the first paragraph of

the said Subsection (1), as follows: "Provided that such approval shall not be withheld if the incorporated insurance office has complied with the provisions of the Insurance Companies Act, 1918, and the sum deposited continues in the Treasury and has not been applied to make good any default by the insurance office in meeting its liabilities." The section, if amended by the hon. member's amendment, would provide for insurance being done by the incorporated offices and the State Government Insurance Office, but would not contain the words "approved by the Minister." That is to say, it would not be necessary for the companies to obtain the approval of the Minister. My amendment will retain those words "approved by the Minister"; that is to say, the incorporated insurance companies will still have to obtain the approval of the Minister. But my amendment means that that approval shall not be withheld so long as an insurance company complies with the Act of 1918; in other words so long as the insurance company has the £5,000 deposited with the Government. That is the difference between the two amendments: the hon. member's amendment deletes the words "approved by the Minister" whereas my amendment retains those words, but declares that except in certain circumstances the approval shall not be withheld.

Hon. Sir James Mitchell: Who is to get the approval?

The PREMIER: The companies.

Hon. Sir James Mitchell: At one time the Minister thought the individual had to get it.

The PREMIER: The companies will require to have the approval of the Minister, and will be entitled to it so long as the £5,000 deposit has not been applied to make good any default by an insurance office in meeting its liabilities.

Mr. Richardson: Has there been any such default up to the present?

The PREMIER: No, but there is always the possibility. Whilst the Act requires the companies each to deposit £5,000, in the event of any company not being able to meet its liabilities the Government may apply the whole or any portion of the £5,000 towards the liabilities. If to-morrow any company were not able to meet its liabilities, and the Government applied the company's £5,000 deposit to meet those liabilities, there is nothing in the Act requiring the company to maintain the deposit of £5,000. The company would not have to make it good, and

unless the words "approved by the Minister" are retained, there would be nothing to prevent that company continuing to do business, although it had no deposit at the Treasury and in consequence there was no protection for the public.

Hon. G. Taylor: I don't want that.

Hon. Sir James Mitchell: The Act ought to be altered.

The PREMIER: There ought to be in the Act a provision under which that deposit of £5,000 must be maintained.

Hon. Sir James Mitchell: Of course.

The PREMIER: Well, there is no such provision in the Act. My amendment says the approval of the Minister shall not be withheld, so long as the £5,000 deposit remains. Obviously it is necessary that the Minister should have the right of approval in the event of the £5,000 deposit being exhausted and the company having no financial stability. It is only in that event the Minister may withhold his approval.

Hon. Sir James Mitchell: What about current policies issued by the company and still covered?

The PREMIER: The approval is to be for new business. However, I do not wish at this stage to advance arguments in favour of my amendment. My only object is to indicate to the Committee the difference between my amendment and that moved by the hon. member.

Hon. G. TAYLOR: With the permission of the Committee, I am prepared to withdraw my amendment, if the Premier's amendment does what he says; it does.

Amendment, by leave, withdrawn.

The PREMIER: I move an amendment—

That all words after "by," in line four, be struck out and the following inserted in lieu:—"inserting after the word 'Minister' the words 'or from the State Government insurance office,' and by the addition of a proviso to the first paragraph of the said Subsection (1) as follows:—"Provided that such approval shall not be withheld if the incorporated insurance office has complied with the provisions of the Insurance Companies Act, 1913, and the sum deposited continues in the Treasury and has not been applied to make good any default by the insurance office in meeting its liabilities.'"

The section in the Workers' Compensation Act that gave to the Minister the right to approve of an insurance company was inserted mainly to protect the people who were compelled to effect insurance. It would be manifestly unfair if Parliament made insurance compulsory on employers and did

not retain power to afford some protection against the possibility of exorbitant rates being charged. If companies were to put their heads together or arrive at an understanding to fix premiums at any level they might wish, the employers would have no alternative to effecting insurance at the rate demanded by the companies. Therefore it was essential in the interests of the people compelled to insure that the Minister should retain power to withhold approval if the proposed premiums were considered to be exorbitant. That need will not now exist, inasmuch as if there be a State insurance office doing business, it will provide an effective check against any possible tendency on the part of companies to combine to raise premiums unreasonably. If the companies raised their rates unreasonably, there would be no obligation on employers to insure with the companies, because the State insurance office would be prepared to undertake the business. With the establishment of a State insurance office, the position would be entirely different from what obtained when the Workers' Compensation Act was passed. So, I feel there is no need to retain the power of approval simply as a check upon rates that might be unfair, because the State insurance office will be a sufficient check and will play the part that the Minister would have played had there been no State insurance office. The amendment provides that so long as the £5,000 that each company has to deposit with the Treasury remains intact, the approval of the Minister shall not be withheld. In the circumstances that is only fair. There will be free and open competition, as members of the Opposition desire.

Hon. G. Taylor: And the public and the Government will be safeguarded.

Hon. Sir James Mitchell: There will be about 14 proposals in the clause when amended.

The PREMIER: Not at all; it will be very simple. It will mean that the companies, as well as the State insurance office, will do this class of business in open competition.

Hon. Sir JAMES MITCHELL: This is really a very clever amendment. It is not usual to amend two Acts by one proposal such as that with which we are dealing.

The Premier: We are not amending the Insurance Companies Act of 1918.

Hon. Sir JAMES MITCHELL: In effect, we shall be. We are dealing with the Workers' Compensation Act and with the

Insurance Companies Act under which the deposit is required.

The Premier: Not at all.

Hon. Sir JAMES MITCHELL: We are setting up a condition.

The Premier: It will apply to this measure and not to the 1918 Act.

Hon. Sir JAMES MITCHELL: The companies, in order to do workers' compensation insurance under that Act, which they were justified in doing when they lodged their deposit, will now have to see that the deposit is maintained.

The Premier: I thought the Act contemplated their maintaining the £5,000 deposit.

Hon. Sir JAMES MITCHELL: We should alter the 1918 Act and make it clear. If a company could withdraw the £5,000 by not paying some of their liabilities, the Government would soon find themselves without any deposit at all.

The Premier: The position is that if they failed to meet their liabilities, the Government would have to make good the amount, and there is no obligation on a company to maintain the deposit at £5,000.

Hon. Sir JAMES MITCHELL: If a company went into liquidation, the Government would have to repay the £5,000. However, that point is not material. It is a pity to complicate a measure of this kind by including in it an amendment to another Act.

The Premier: We are not amending the 1918 Act.

Hon. Sir JAMES MITCHELL: But we are inserting a condition that will have some bearing upon that Act.

The Premier: A condition governing the administration of this measure as it relates to workers' compensation.

Hon. Sir JAMES MITCHELL: The Premier's intention now is to leave the business of insurance by the ordinary companies as it is to-day. Employers will be at liberty to place their insurance where they please. If this Bill becomes law, all that will happen will be that a State insurance office will be established.

Mr. Lindsay: There will be open competition.

Hon. Sir JAMES MITCHELL: Yes; it will be equivalent to another company starting business. No one will be obliged to do his business with the State office; he will be perfectly free to go to the State office or to one of the companies. That is a decided

improvement upon the Bill as introduced. I could not see what advantage would accrue to the workers from passing the Bill.

The CHAIRMAN: There is an amendment before the Chair, whereas the hon. member is discussing the measure generally.

Hon. Sir JAMES MITCHELL: The clause that the Premier proposes to amend is a material part of the measure. I could not see that it was necessary in the interests of the workers for the Government to have a monopoly of this business. It has been argued that the companies have not settled claims in the way that a State office would, but that argument would probably not be borne out by inquiry. No one can object to the amendment, not even members who object to State insurance. If we are to have State insurance the Bill will be improved by the amendment, which will remove one of the objections. Many people object to being forced to do business with the Government. There is no reason why they should be so forced merely because the Government enter a business that formerly was done by the companies. The Premier said that the reason for requiring the Minister's approval of a company was to control the premium rates, but he did not tell us that when he was introducing the workers' compensation measure. What the House believed then was that the Minister's approval was desired to ensure that the companies doing business were sufficiently strong to guarantee the workers their compensation. The Government are safeguarded to the extent of £5,000. It is not likely that the whole of that sum would be claimed at one time. I hope competition will keep the rates at a reasonable level. In Queensland it has not done so. However, the people effecting insurance will have their choice. It is important that insurance rates should not be excessive. Though no one expects a company or the Government to do business without a profit, all such charges against employers react upon the worker to his great disadvantage. The amendment is an improvement on the one suggested by the member for Mt. Margaret.

The Premier: It is entirely due to the second reading speech made by the hon. member.

Hon. Sir JAMES MITCHELL: Then I congratulate the hon. member on being the only man who has succeeded in making any impression upon any member on the Government side in any circumstances.

The Premier: This is the beginning of a new era. Arguments are going to be listened to.

Hon. Sir JAMES MITCHELL: It is a pity the Government have such a short time in which to show their reasonableness.

The Premier: From now on! Of course it will all depend on the weight of the argument.

Hon. Sir JAMES MITCHELL: It depends a little on the reasonableness of the Minister in charge of the Bill under consideration. If we are to have State insurance this is a right and proper amendment to make. So drastic a change in their proposal must come rather as a wrench to the Government.

The Premier: It is a question of open-mindedness.

Hon. Sir JAMES MITCHELL: All is changed in the twinkling of an eye.

The Premier: Having been reasonable, surely it will not now be said we are wrong.

Hon. Sir JAMES MITCHELL: Probably the Government are still wrong, but not so thoroughly out of gear as they were. The clause will now be a decided improvement on that which appears in the Bill.

Hon. G. TAYLOR: The Premier's amendment makes the clause more clear than my amendment, and safeguards the Government. My amendment would have wiped out the £5,000. I am glad the Premier has looked up the matter, has made it more workable for the Government, and has given both the Government and the people that freedom which I desire they should have. No one should now cavil at this in any way. If the companies wish to do this business will they have to maintain their deposit of £5,000?

The Premier: Yes.

Hon. G. TAYLOR: That is all I desire.

Mr. LINDSAY: There may be a nigger in the woodpile. This was a Bill to bring in compulsory insurance.

The Premier; Not at all.

Mr. LINDSAY: This clause does so.

The Premier: It is the Compensation Act that provides for compulsory insurance.

Mr. LINDSAY: The Bill says that the Government insurance office shall be the only one to do workers' compensation business. There may be something in this matter that I have not grasped. No matter how logical we may be on this side, I have never yet seen one of our amendments accepted by the Government. I opposed this Bill before, because a State monopoly would mean that

there would be no competition in the matter of the rates to be charged. By the Premier's amendment business will be open to other companies, and there will be competition in the matter of rates. The public may go to one company or to another as they desire. The amendment will greatly improve the Bill.

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

Clause 10—Ratification of existing policies:

Hon. Sir JAMES MITCHELL: It is a pity the State Government have indulged in insurances, and rendered this Bill necessary. I suppose this was done to meet the case of the men on the mines.

The Premier: There was absolutely no other reason for it.

Hon. Sir JAMES MITCHELL: A State trading concern cannot be legally established without the consent of Parliament. The Premier will find he will still have to carry these insurances, and that the country will have to take the risk. The fact that we are insuring these men ourselves does not lessen the risk to the Government. We shall receive the premiums from now on, but unfortunately over 500 men are already suffering because of their work on the mines. If they were starting on their work now, the premium that would be considered fair to cover the risk would still be £4 10s. If the Bill is passed this clause must be regarded as a vital one.

Clause put and passed.

Clause 11—Regulations:

Hon. Sir JAMES MITCHELL: This clause provides for the making of regulations on rather an unusual basis. It says that the Government may make regulations to meet any particular cases that may be convenient for the administration of the Act, etc. It is not usual to extend legislation by regulation, such as is suggested in this clause. I suppose it is because this is a trading concern that the Premier seeks greater power than is ordinarily given. Will these regulations be laid on the Table of the House?

The Premier: Yes.

Hon. Sir JAMES MITCHELL: Why has the Premier introduced a clause worded as this is?

The PREMIER: The hon. member suggested the answer to his own question when he stated that State insurance being in the

nature of a business concern, wider power to make regulations might be required. After all, regulations would not be made except so far as necessary or expedient for carrying out the purposes of the Act. Certainly regulations would not be framed to enlarge the scope of the Act. Moreover, regulations have to be laid on the Table.

Hon. Sir JAMES MITCHELL: In this measure for the setting up of a trading concern the Premier has thought well to make the clause dealing with regulations far more elastic than usual. I regret that another trading concern is to be created. The clause shows how difficult it is for the Government to carry on a business enterprise. Trading companies are not hampered by such restrictions, which must often prove disadvantageous to customers.

Mr. ANGELO: As one of the paragraphs of the Schedule provides that rates of premium and terms and conditions of policies shall be fixed by the insurance commissioner subject to the approval of the Minister, I should like an assurance from the Premier that the Minister will not have power to fix rates. In view of the amendment to Clause 9 I do not think that is contemplated.

The Premier: The present clause applies only to the fixing of rates for our own business, not for the business of others.

Mr. ANGELO: That is all right.

Clause put and passed.

Postponed Clause 6—Procedure, Schedule:

Hon. Sir JAMES MITCHELL: As there is to be no monopoly, we need hardly bother about this clause any further. However, the member for West Perth has something to say about it.

Mr. DAVY: The objection I had to Clause 6 was that its second paragraph enabled the Government to alter the Schedule without even following the ordinary rules as to by-laws and regulations.

The Premier: I am prepared to make an amendment substituting regulations under the measure for Orders in Council.

Mr. DAVY: That will be a little better. Even then, however, it will be possible to alter part of an Act of Parliament by regulation.

The Premier: The second paragraph of this clause can go out as Clause 11 gives the Government all necessary power.

Mr. DAVY: I move an amendment—

That the second paragraph of Clause 6 be struck out.

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

Schedule:

Mr. DAVY: I do not know that I have any objection to paragraph 5 of the Schedule, but that paragraph is extraordinarily inconsistent.

The Premier: I think I intimated that the paragraph was slipped in unwittingly. I did propose to strike it out, but the objection to it disappears now that Clause 9 has been amended, and I want it retained.

Mr. DAVY: If the Bill becomes law and the State is to carry on insurance, there must be a right to refuse business.

The Premier: We could not reserve that right if we had a monopoly.

Mr. DAVY: Even with a monopoly circumstances arise rendering a proposal absolutely unacceptable. For instance, there might be an employer who had been guilty of bad faith over and over again. The net result of refusing his insurance proposals would no doubt be to prevent him from employing people.

The Premier: Paragraph 5 was taken from the Act of Queensland, where there is a monopoly.

Schedule put and passed.

Title—agreed to.

Bill reported with amendments.

## BILL—METROPOLITAN MARKET.

### *In Committee.*

Resumed from the previous day, Mr. Lutey in the Chair, the Minister for Agriculture in charge of the Bill.

Clause 3—The metropolitan market trust (partly considered):

Mr. E. B. JOHNSTON: I move an amendment—

That in Subclause 2, after "consumers," in line four, there be inserted "who shall be a woman."

The housewives are anxious that there shall be a woman representative on the trust. The Government have decided that there shall be four representatives of consumers on the trust, and one representative of the producers. The representative of the City of

Perth will be a consumer, and the two Government representatives are almost sure to be consumers.

The Premier: What lady have you in your eye for this position?

Mr. E. B. JOHNSTON: If the Government have no nomination and will give me the right to suggest a representative, I will point out that the first lady who graced this Chamber with her presence would be an admirable representative.

The Premier: Don't you think there is another vacancy to which you might appoint a lady?

The MINISTER FOR AGRICULTURE: There is absolutely no reason why the housewives should be specially represented on a body of this character more than any other section of the community. I do not think the hon. member is serious in moving his amendment.

Mr. E. B. Johnston: I am absolutely and wholeheartedly serious.

The MINISTER FOR AGRICULTURE: My disbelief in the hon. member's seriousness arises from the fact of his never having shown any appreciation of the sex. He has remained a single man all his life.

The Premier: The hon. member is only half way through his life.

The MINISTER FOR AGRICULTURE: The hon. member has not thought one member of that sex good enough to preside over his own household. Having regard to his past omissions, I am convinced that he is not serious in this amendment.

Mr. E. B. JOHNSTON: I am sorry the Minister does not take the amendment in a proper spirit. We are establishing markets for the metropolitan area, and the majority of the customers will undoubtedly be housewives. In the Eastern States housewives by the score may be seen every morning setting off to buy supplies at the markets. I am absolutely serious in moving the amendment, which has been put up to me by the housewives. If there was going to be only one representative of the consumers on the trust, I could understand the Minister's not accepting the amendment at once; but in view of the circumstance that this is to be a trust of five, and that most likely four of them will be representatives of the consumers, one of those four ought to be a woman. If the consumers are to be represented on the trust, who could represent them better than one of the women that go to the market every day? We have come to the stage when women

claim equal rights with men. That is recognised in every walk of life, and in appointing a committee of five such an important thing as that which affects the everyday life of housewives should not be overlooked. I hope the Minister will really regard the amendment seriously. It is not right that the Minister should have made light of it in the way that he did because of my unfortunate position in life, a position that I regret exceedingly. I ask the Minister to consider the amendment on its merits in the interests of consumers, 90 per cent of whom will be women. Western Australia has set an example to the other States in respect of having women holding high places; therefore I consider we should have one on the trust. I would not put anyone in charge of any of my businesses unless there was also a good woman to do her part. I ask the Government to accept the amendment and in that way give the consumers, the majority of whom are women, the representation to which they are entitled.

Mr. SAMPSON: I support the amendment principally because I am aware of the work that the women have done in regard to the kerbstone markets. They were largely responsible for the establishment of those markets. I deprecate the attitude taken up by some members. We must acknowledge, in view of the positions women are taking up in the world, that they are thoroughly qualified to occupy posts such as a seat on a trust of this kind. Their judgment is usually sound. Indeed, Governments for many years past have recognised the qualifications of women by appointing them justices of the peace, and to other positions which have involved the carrying out of difficult work. I hope the Minister will accept the amendment so that there may be at least one woman on the trust.

Hon. G. TAYLOR: There are positions which women can fill better than men, but I do not think that a woman occupying a seat on the trust would be of the value indicated by the member for Williams-Narrogin. When a person is trained in a special direction, he or she receives a diploma and it can be counted on that that person has some qualification. I do not see, however, what qualifications housewives can have to induce the Government to appoint one to assist in the control of markets. I have been waiting for an amendment of this description for years. I remember what was said by an old and esteemed friend who was once a



member of this House, Mr. Wallace Nelson, and his utterance is borne out by the amendment which we are now considering. Mr. Nelson's statement was that a man generally spoke most eloquently upon a subject about which he knew nothing. Have not the remarks of the member for Williams-Narrogin borne out that assertion?

The Premier: And you speak feelingly!

Hon. G. TAYLOR: The hon. member submitted the amendment with that force and eloquence my Scottish friend, Mr. Nelson, used to speak about. I hope the Minister will not be influenced by that eloquence and that he will resist the amendment.

Hon. Sir JAMES MITCHELL: Is there anything at all in the clause that will prevent the appointment of women altogether?

The Minister for Agriculture: Nothing at all.

Hon. Sir JAMES MITCHELL: The growers if they like can elect a woman. The City Council can do likewise.

The Premier: That will go without saying if they elect one of their own number.

Hon. Sir JAMES MITCHELL: We have evidence in this Chamber that women are on an equality with men. We made it possible for women to sit in this House by removing the former disability. There is nothing in the Bill in the form of a disability that would prevent the election of a woman or women to seats on the trust. We have raised no objection to women sitting in this House, but I know a good many members who do not want any more women here. I would not mind if there were one or two others, so long as they occupied seats other than mine. I confess that if there were women eminently suited to occupy seats on the trust, I should not hesitate to appoint them. We are dealing with a serious matter, the marketing of produce, and we want the best possible management. We do not wish the Minister to appoint any person who may happen to be a member of his party or the party on this side of the House.

The Minister for Agriculture: Or women.

Hon. Sir JAMES MITCHELL: We want the Minister to make the wisest possible selection.

Hon. G. TAYLOR: I question very much whether there is any necessity to stipulate producers, consumers or anyone else. The Government should be capable of selecting five or four or three men or women to control the markets without having to set it out in the Bill, and if the chosen ones should

fail, the power should be there to remove them so that others might be appointed.

Mr. THOMSON: I cannot see any objection to the proposal of the member for Williams-Narrogin. If a woman were appointed, she would represent the women's section interested in the markets. It is all very well for members to ridicule the amendment but most of us will find at the next elections that women have votes equally with the men.

Hon. G. Taylor: And the women will vote for the man they think has the most character, who will not play up to anyone.

Mr. THOMSON: That bears out the argument of the member for Williams-Narrogin that if women have the qualifications enabling them to vote, they are equally qualified to sit on the trust.

Hon. Sir James Mitchell: There is nothing in the clause to prevent women from being members of the trust.

Mr. THOMSON: If we may judge from the interjections and the trend of the discussion, some members do not approve of this suggestion. The Minister has indicated that he does not approve of it, and the Minister will have the task of recommending the members to be appointed to the trust.

The Minister for Agriculture: That is the responsibility of Cabinet.

Mr. THOMSON: I commend the Government for allowing each Minister to control his own department.

Hon. G. Taylor: What is wrong with striking out the reference to "producers" and inserting "women" in lieu?

The CHAIRMAN: Order! We have already dealt with that point.

Mr. DAVY: The amendment seems to be based upon a most destructive point of view.

The Minister for Agriculture: Yes, sex distinction.

Mr. DAVY: The member for Williams-Narrogin, by his amendment, seems to suggest that women represent one section of the community and men another section.

The Minister for Agriculture: And that men are antagonistic to women.

Mr. DAVY: One of the worst bits of propaganda that can be advanced by anyone is that women represent a section of the community. They do not, any more than do men. When men and women cease to be complementary to each other, the whole system of modern civilisation will be wrecked. Any attempt to give representation to women *qua* women arouses my hostility just as

would any attempt to give representation to men *qua* men. The hon. member would go further than that, for the woman to be appointed is to be a representative of the Housewives' League!

Mr. E. B. Johnston: That is not so.

The CHAIRMAN: The amendment refers to "woman" only, but the member for Williams-Narrogin suggested that the selection should be made from the members of the Housewives' League.

Mr. DAVY: At any rate, the objection I raise seems to me to be fatal to the amendment. I could not agree to the passing of any law granting special rights to men or to women as such. Someone may suggest that I am not consistent regarding the presence of women on juries, but that is a different proposition altogether.

Mr. Wilson: You do not believe in women being members of Parliament.

Mr. DAVY: I do not believe in a man or a woman being a member of Parliament as such; I believe in members gaining their seats because they are citizens. No sensible woman could ask to be a member of Parliament or of anything else, merely because she was a woman.

Mr. Thomson: We had to pass a special Act dealing with women and the franchise.

The Premier: Because they were formerly disqualified.

Mr. DAVY: That was a logical action to complete our theory of democracy. I cannot see in the amendment anything but a retrograde move.

The MINISTER FOR AGRICULTURE: I agree with the member for West Perth. I object to the amendment as suggesting sex distinctions. It conveys the insinuation that there is antagonism towards women.

Hon. Sir James Mitchell: If women had not the vote, they would not have been mentioned here to-day.

The MINISTER FOR AGRICULTURE: That is so. I did not take the member for Williams-Narrogin seriously at first.

Hon. G. Taylor: I thought he moved the amendment as a joke!

Mr. E. B. Johnston: If you deliberately thought that, you yourself are a joke, and a senile joke at that.

The Premier: It is the same old story! All the quarrels between men arise out of women.

The MINISTER FOR AGRICULTURE: I doubt if the Housewives' League really want what is suggested.

Mr. E. B. Johnston: They do. Two prominent members spoke to me about it.

The MINISTER FOR AGRICULTURE: Throughout the discussion on the Bill, in correspondence on the file, and during discussions with deputations, not one reference was made to the Housewives' League. One women's organisation—the Consumers' Vigilance Association—discussed the Bill with me and made important and wise suggestions. As the Leader of the Opposition pointed out, nothing is contained in the clause to prevent women from being appointed on the trust. I have in mind a woman who would be more efficient, though perhaps less spectacular, than some of those the member for Williams-Narrogin has in view.

Hon. Sir James Mitchell: I am afraid that the Minister may be influenced by some young lady with short skirts!

Mr. Clydesdale: Not he, he is too old!

The MINISTER FOR AGRICULTURE: I know one lady who is more efficient than many men, and she might be quite efficient as a member of the trust. I hope the Government will not be limited in their choice; the clause will leave it open for the Government to appoint the best persons available.

Hon. Sir JAMES MITCHELL: We want this work done well for the producers, who are the most important to be considered, as without them there would be no necessity for the markets. It is essential that the markets shall be managed by the most capable brains, whether they be possessed by men or women. The Minister is faced with a serious responsibility regarding the appointments to be made, for if his choice be unwise, he is bound to hear about it later on.

The Minister for Agriculture: I always make a wise choice.

Hon. Sir JAMES MITCHELL: I have not heard of such displays of wisdom on the part of the Minister.

The Minister for Agriculture: My selections have been just as wise as those you made.

The CHAIRMAN: Order! Hon. members must cease interjecting.

Hon. Sir JAMES MITCHELL: In the interests of the consumers, the producers and the people generally must be brought together. I am surprised that it has been thought necessary to say one member of the trust must be a woman. I hope the Com-

mittee will hesitate before binding the Government to any such appointment, because Ministers should be left free to appoint the most suitable people.

Amendment put and negatived.

The MINISTER FOR AGRICULTURE: During the course of the second reading debate, the Leader of the Opposition pointed out that in the event of the City Council refusing to nominate a member of the trust, the formation of the trust might be held up indefinitely. I am confident that the members of the City Council will not act in that way, but still there might at one time or another be obstructive elements in the council. In order to safeguard the position, I move an amendment—

That the following paragraph be added to Subclause 2:—"The nomination by the Council of the City of Perth shall be in writing delivered to the Clerk of the Executive Council: Provided that if such nomination is not received within one month from the commencement of this Act, or within one month after a vacancy in the office of a nominated member, an appointment may be made by the Governor of a member of the trust as the representative of the Council of the City of Perth, without any nomination by the Council.

*Sitting suspended from 6.15 to 7.30 p.m.*

Amendment put and passed.

Mr. SAMPSON: I move an amendment—

That Subclause 3 be struck out and the following inserted in lieu:—"At the first meeting of the trust and at the first meeting thereof after the expiration of every three years the trust shall elect one of its members as chairman."

This method of electing a chairman would prove more satisfactory than the filling of the position by appointment by the Governor. Members of the trust would be in a position to judge which of their number was the best qualified to occupy the post.

The MINISTER FOR AGRICULTURE: The hon. member has not given any good reason for the amendment. In my opinion the more satisfactory way is to have the chairman appointed by the Governor. I will resist the amendment.

Amendment put and negatived.

Clause, as previously amended, agreed to.

Clauses 4 and 5—agreed to.

Clause 6—Deputy member of trust:

Mr. SAMPSON: Subclause 1 provides that in the case of illness or absence of a

member of the trust, the Governor may appoint a deputy for such member. I move an amendment—

That after "Governor" the words "on the recommendation of the trust" be inserted.

It is only reasonable to suppose that the members of the trust would make a wise recommendation to the Governor.

The MINISTER FOR AGRICULTURE: I should like to know in what way the trust would be more competent to fill a vacancy than would be the Governor. If the Governor is capable of appointing the trust in the first instance, he ought to be well capable of filling any vacancy. It is not to be taken for granted that the trust will appoint as deputy some person who will serve the same interests as were served by the absent member. I oppose the amendment.

Amendment put and negatived.

Mr. J. H. SMITH: I move an amendment—

That in line two of Subclause (1), and in line two of Subclause (2), "may" be struck out and "shall" inserted in lieu.

The MINISTER FOR AGRICULTURE: In this instance the two words "shall" and "may" mean the same thing.

Mr. J. H. Smith: I do not think so. I prefer "shall."

The Minister for Lands: "Shall" is never used in relation to the Governor.

Mr. J. H. Smith: But "may" so often gives rise to confusion.

The MINISTER FOR AGRICULTURE: I have no objection to the amendment, beyond that raised by the Minister for Lands, which is a vital objection. In this instance "may" means "shall," for the Governor would simply have to elect a deputy, because otherwise the business of the trust could not be carried on.

Amendment put and negatived.

Clause put and passed.

Clauses 7 to 10—agreed to.

Clause 11—Power to establish markets:

Mr. SAMPSON: I move an amendment—

That after "storage," in line three of Subclause (1), "and treatment" be inserted.

The object of the amendment is to give the trust power in certain instances to pick-over produce, repack it, and if necessary put it into cold storage, dehydrate it, evaporate it, or do such other things as may be required.

The Minister for Lands: That means they could start a jam factory.

The MINISTER FOR AGRICULTURE: I cannot accept the amendment. If the word "treatment" were introduced, the trust could do many things that, in the opinion of the Committee, ought not to be within the trust's jurisdiction. The trust could even establish jam factories.

Hon. G. Taylor: There is no definition of "treatment" in the Bill.

The MINISTER FOR AGRICULTURE: No. There is nothing in the Bill to say that the trust cannot, in storing fruit, classify it, clean it or in other ways treat it, as for instance, by blowing grubs and other insects out of dried fruit. The trust might invade activities of which Parliament would not approve. If at some future time it is considered that the trust should have such power, the measure can easily be amended.

Hon. Sir JAMES MITCHELL: The trust should not exercise these powers untrammelled. The approval of the Governor should first be necessary. The market will be a Government market because the Government will find the money. If the City Council would find the money and undertake the work, they should be allowed to do so.

The Minister for Lands: Parliament has said differently.

The CHAIRMAN: The discussion must be directed to the amendment.

Hon. Sir JAMES MITCHELL: Much money would be required to start a jam factory or a butter factory, either of which would be permissible under the amendment. If the trust had some unsaleable fruit, it would be wise to treat it, but the trust should not be given those wide powers regardless of Government control. The clause as printed is not quite complete because it might be necessary to do something with unsaleable fruit. If the Government controlled the activities of the trust, we might go a little further than if the decision rested with the trust alone.

Mr. SAMPSON: It might be necessary to hold produce in cold storage, and power to treat it is essential. A private concern would take power to treat produce in such a way as would be in the best interests of the producers.

Amendment put and negatived.

Mr. THOMSON: Does the reference to storage in Subclause 1 mean cold storage?

The Minister for Agriculture: Yes, it means any kind of storage.

Hon. Sir JAMES MITCHELL: Subclause 3 will empower the trust to acquire land, under the Public Works Act, 1902, as only the Government or a local authority may do. It is not necessary to give the trust that power. Any resumption of land should be made by the Government on the recommendation of the trust.

The Minister for Agriculture: The Government hold the purse-strings.

Hon. Sir JAMES MITCHELL: To give the trust power to resume land for which the Government must pay is going too far. We are taking away from the Government the right to manage the markets and vesting it in a trust with statutory power. Someone should have control over the trust. I hope the Minister will agree that the Government alone should determine matters of land resumption. Will the trust decide where the market shall be established or are the Government reserving to themselves the right to approve of the site? The Minister should have the subclause redrafted to give the trust power to resume land subject to the approval of the Governor.

The MINISTER FOR AGRICULTURE: I accept the suggestion of the Leader of the Opposition. If the Committee pass the clause, I undertake to have the necessary amendment prepared and moved on recommendation.

Clause put and passed.

Clause 12—agreed to.

Clause 13—By-laws:

Mr. THOMSON: The trust may make by-laws, among other things, for regulating the conduct of persons using the market, resorting thereto, or buying or selling therein. I presume it is intended that producers may sell their produce retail. Is that provided for?

The Minister for Agriculture: Yes.

Hon. Sir James Mitchell: Are the by-laws to be approved by the Governor?

Mr. E. B. Johnston: A proviso to that effect follows Subclause 10.

The MINISTER FOR AGRICULTURE: I move an amendment—

That after "auction," in line four of Subclause 5, the words "or otherwise" be inserted. This will provide for retail if the trust consider it necessary.

Hon. Sir James Mitchell: Does that mean that produce consigned to the trust for sale by private treaty.

The MINISTER FOR AGRICULTURE: If a quantity of fruit remained unsold, a producer might ask the trust officials to try to sell it for him. Such fruit could be sold by private treaty but not by auction.

Hon. Sir JAMES MITCHELL: The Minister's proposal would place in the hands of the trust power that might be abused.

The Minister for Agriculture: The producers have asked me for this.

Hon. Sir JAMES MITCHELL: It is an extraordinary power to give. It is proposed to give the trust power to sell by auction or otherwise.

The Minister for Lands: This only empowers the trust to make by-laws, which have to be approved.

Hon. Sir JAMES MITCHELL: Without any instructions from the growers the officers of the trust may sell their products without competition. If this is done, the Minister may find himself in trouble. The markets will be used by growers who will sell there themselves. The stuff that will be auctioned will be sent in for sale by the auctioneers.

The MINISTER FOR AGRICULTURE: Sometimes there is a surplus and no demand for it. In that case it should be at the discretion of the trust to dispose of it as is thought fit. The deputation that waited on me asked that this clause should be amended in the direction I have indicated.

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

Clause 14—agreed to.

Clause 15—Borrowing powers:

Hon. Sir JAMES MITCHELL: The money that the trust borrows will have to be backed by the State. It is far safer and better that the Government should find the money than guarantee it. The margin of profit will be small, and the debt will not be paid off for many years. The Government will be obliged to finance the whole thing, and it is as well that the Treasurer should realise this. No one else would find the money on the security that would be available to the trust.

The Premier: On the guarantee of the Government the trust could borrow the money, and when the loan fell due it could be renewed.

Hon. Sir JAMES MITCHELL: I am not proposing to defeat the clause.

The MINISTER FOR LANDS: Western Australia is suffering to a large extent by reason of the circulation of erroneous information concerning the indebtedness of the State. In many parts of Australia Governments guarantee the loans of trusts, and this money does not go down to the indebtedness of the State. We are handicapped considerably in that direction, because all the money that is spent in this way is a charge upon the Treasury. In Melbourne the Harbour Trust, the Water Works, the Savings Bank and other institutions are not a charge upon the revenue.

Hon. Sir James Mitchell: What about our Harbour Trust here?

The MINISTER FOR LANDS: If the Fremantle Harbour Trust had been given borrowing powers, the millions of money that are involved in the harbour would not have been figuring as part of the indebtedness of the State. We should see that Western Australia is placed more upon an equality with the other States in this respect. If we were placed on the same basis as Victoria as regards the raising of loans, our indebtedness per head of the population would not be more than that of Victoria.

Hon. Sir James Mitchell: Very little more.

The MINISTER FOR LANDS: It would be about the same.

Hon. Sir JAMES MITCHELL: In this country we borrow enormous sums of money to lend to individuals. In the last five or six years two-thirds of the money we have borrowed has been lent to individuals, but is regarded as a debt against the State. Our indebtedness shows up badly as compared with Victoria where water supplies, harbours, banks, and advances to the farmers are kept apart from the ordinary Government accounts. This makes our position seem worse than it is. We find the sinking fund for all money we borrow, no matter what purpose it is used for. This sets up a debit against the Treasury year by year for all moneys borrowed for all purposes. The trading results in the case of these markets may not be satisfactory, and may not be sufficient to cover interest and sinking fund. In that case the Government will have to go without their money. These should be municipal markets, and the municipality should find the capital.

Clause put and passed.

Clauses 16 to 21—agreed to.

Title—agreed to.

Bill reported with an amendment

## **BILL—WEIGHTS AND MEASURES ACT AMENDMENT.**

### *Second Reading.*

Debate resumed from the 21st September.

**MR. DAVY** (West Perth) [8.14]: I do not find much in the Bill to complain of. The only thing that occurs to me particularly is that its object is to amend an Act that has been on the statute-book for many years, but has never yet been put into operation. It strikes me that in normal circumstances an Act that is put on the statute-book is regarded as pretty well all right until it has stood the test of administration.

**Mr. Marshall**: I guarantee you have never heard a word uttered against the Weights and Measures Act.

**Mr. DAVY**: Not until the Minister for Justice brought down this Bill. He is the person who attacks this Act which has never been administered.

**The Premier**: I do not think it has had a fair trial.

**Mr. DAVY**: Precisely, and that is something which makes one pause. The Act has stood solemnly and quietly on the statute-book, hiding its light under a bushel, for 11 years. Before it is even put into operation, it is found wanting and the Government decide to bring in an amending Bill covering five pages. I do not know what that indicates. I will not suggest for a moment that the Bill is an emanation from the mind of the Minister for Justice, nor do I think that it stands, or will stand, as a monument to his inquisitiveness or industry. I have no doubt the measure has been put up by departmental officers. At the moment I cannot find much fault with it. Probably these amendments are all right; I cannot fault them. After all, the measure is of rather a technical nature. Still, I should have thought the better course would be to take the Act as it stands, construct the building to contain the weights and measures and other standards, and set the statute in operation before proceeding to amend it. But I cannot conceive of any measure which would be less of a party nature. It is not possible to suggest that the political colour of a member would in the slightest degree in-

fluence him as to the way he should vote on the Bill. I must assume that the Bill is an honest and unpolitical attempt to amend a piece of entirely unpolitical machinery. Probably it has been recommended by the experts, and therefore I shall not urge any member to vote against the second reading.

**MR. THOMSON** (Katanning) [8.18]: The Minister for Justice has assured the House that this Bill is exactly on all-fours with a measure which passed its second reading and was amended in Committee here last session, but which unfortunately reached another place too late to be dealt with. It is essential that the Weights and Measures Act should be put into operation. Many persons feel grave doubts as to whether the people are getting correct weights and measures. The provisions of the Bill are certainly designed to protect the public, and I do not offer any objection to it. It proposes to put the administration of the Act into the hands of the Police Department. Had the parent Act been proclaimed, it would have been administered by the local authorities. Administration by the Police Department is, in my opinion, much preferable. I have no improvements to suggest in the provisions of the Bill.

**THE MINISTER FOR LANDS** (Hon. W. C. Angwin—North-East Fremantle) [8.20]: The Minister for Justice, in introducing the Bill, made the position plain. As the member for Katanning (Mr. Thomson) states, the administration of the Weights and Measures Act has been in the hands of the local authorities. That, indeed, has been so practically ever since Western Australia has had local authorities. In 1915, however, it was found necessary to make special provision for dealing with weights and measures. Not long ago the Perth City Council refused to continue the work of controlling weights and measures, and consequently the Government had to obtain new standards and the necessary plant. It was also necessary to provide accommodation for the standards and plant. The erection of the premises is now approaching completion, and it will be possible to proclaim this legislation before long. In the meantime an inspector of the Police Department has visited the Eastern States and made full inquiries as to the working of their Weights and Measures Acts. The amendments contained in the Bill are proposed on the strength of that officer's report as being necessary for the working of

the statute to the satisfaction of both the general public and the traders. If this Bill passes, our weights and measures legislation will be quite up to date. The intention is to proclaim the Act as soon as the Bill has gone through. Then we shall see whether the accusations of wrong weights and measures are well founded or not. Until we have proper appliances to test such accusations, we cannot be sure of the position. Sometimes I feel considerable doubt as to whether some of the accusations made are correct. As the member for Perth (Mr. Davy) has said, the Bill has been drafted by expert officers, after due inquiry, to ensure the proper working of our legislation when it is proclaimed.

**HON. G. TAYLOR** (Mt. Margaret) [8.22]: It was necessary for us to hear some reasons for this amending Bill, and those which have been given by the Minister for Lands are, I think, ample. We have had a Weights and Measures Act on the statute-book for 11 years without its being put in operation, and an officer of the Police Department has proceeded to the Eastern States and observed the operation of corresponding legislation there, this amending Bill being the outcome of his investigations. Therefore we are in almost the same position as if we possessed 11 years' experience of the working of our own Act. We now know its shortcomings almost as well as if it had actually been proclaimed. I hope that when this legislation is in operation we shall not discover that short weights and measures are as frequent as some people would have us believe. If it should turn out to be so, I shall feel grieved, because it will mean that I have been taken down a good deal in the past 11 years.

Question put and passed.

Bill read a second time.

*House adjourned at 8.24 p.m.*

## Legislative Assembly,

Thursday, 30th September, 1926.

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

### QUESTIONS (2)—EDUCATION.

#### (1) Perth Technical School.

Mr. HUGHES asked the Honorary Minister (Hon. J. Cunningham): Is it a fact that an adequate supply of the stores, equipment, and books of reference necessary for the proper instruction of the students is not available to the Science classes at the Perth Technical School?

The MINISTER FOR LANDS (for the Honorary Minister) replied: No. The necessity for replenishments and replacements naturally arises from time to time, and is duly considered.

#### (2)—Newcastle Street State School.

Mr. PANTON asked the Honorary Minister (Hon. J. Cunningham): 1, Is it intended to close the Newcastle Street State School? 2, Is the average daily attendance over 400? 3, Is he aware that the school is situated in a thickly populated centre? 4, If the school is closed, will the children have to go to James Street, Leederville, and Thomas Street schools? 5, If so, has he considered the danger from the dense motor traffic to young children going to these schools? 6, will he give consideration to these matters before deciding to close the school?

The MINISTER FOR LANDS (for the Honorary Minister) replied: 1, Yes. It is proposed to enlarge it and convert it into a Junior Technical School, for which it is adapted, and for which a suitable site is not available elsewhere. 2, No. 3, Yes. 4, Yes. 5, Yes; but a similar objection applies to many parts of the metropolitan area. 6, All phases of the question have been considered.