

used to satisfaction, particularly if bush fire brigades or men with the necessary experience were employed. The Government might remember that years ago most of the voluntary ambulance work was done by firemen. Later the ambulances were put into a separate department.

Just as these things have happened in the years gone by I feel that in the years to come aeroplanes will play a bigger part than hitherto in the progress of the State. That will come about for more reasons than one. Economic conditions will demand that cheaper methods of transport be brought into being, and also, because of the huge areas that have to be covered in Western Australia, aviation will be a more satisfactory way of getting from place to place than by the ordinary methods of horse transport or motor vehicle. I have already mentioned the number of accidents that are taking place.

Something should be done to control motor cycles and place a speed limit on them and on motor vehicles generally. However, I will simply ask the Minister for Local Government what is the use of having traffic signs on the roads, indicating that vehicles should slow down or stop, if no regard is paid to them? Very few people now take notice of such signs, and I feel that the money spent in that direction by the Traffic Department could be put to better use. It could be spent in providing free milk for school children, or something of that sort. I know of several places where the road signs have had to be renewed at least half a dozen times, but there has not been a single conviction.

The Minister for Railways: I do not think your experience in that regard is the general experience.

Mr. BRADY: At the West Midland station there is a dangerous spot, where infants cross under the subway to school every day, but the traffic does not slow up there. The "slow-down" sign has been renewed twice a year for the past six or seven years, but no notice is taken of it and I do not think there has been a single prosecution, either through the municipal council or the Traffic Department, of people who have refused to take notice of that sign. I pass it two or three times a day and challenge any member to mention a conviction of any motorist for having disobeyed that sign.

The Minister for Railways: That is only one particular spot, out of the whole metropolitan area.

Mr. BRADY: It is on a particularly dangerous road. The money spent on such signs could be put to a more useful purpose, if they are only to be ignored. I hope the Government will ensure that those disregarding traffic signs are prosecuted. My experience has been that if I broke a traffic law I generally got caught, and therefore in recent years I have been particularly careful to keep within the law.

Progress reported.

*House adjourned at 11.35 p.m.*

## Legislative Council.

Wednesday, 17th August, 1949.

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

### QUESTION.

#### HOUSING.

*As to Abolition of Permit System.*

Hon. H. K. WATSON asked the Chief Secretary:

(1) Has he read the statement on building permits by Mr. Nelson Lemmon, M.H.R., Commonwealth Minister for Works and

Housing, recorded in Commonwealth "Hansard," the 27th May, 1949, at p. 274, that "Western Australia is now the only State in which the permit system still operates. In Queensland, New South Wales, Tasmania and South Australia, people are able to erect homes of 12½ squares, and in Victoria, 14½ squares, without a permit"?

(2) Will he be good enough to submit such a statement to the Minister for Housing with a view to bringing the Western Australian position into line with that obtaining in the Eastern States?

The CHIEF SECRETARY replied:

(1) No.

(2) I will advise the Minister for Housing of the hon. member's request.

### MOTION—SUPREME COURT ACT.

#### *To Disallow Liquidators' Accounts Rule.*

Debate resumed from the previous day on the following motion by Hon. H. K. Watson:—

That Rule 6 of the Companies (Liquidators' Accounts) Rules, 1949, made under the Supreme Court Act, 1935, and the Companies Act, 1943-1947, as published in the "Government Gazette" of the 24th June, 1949, and laid on the Table of the House on the 5th July, 1949, be and is hereby disallowed.

HON. G. FRASER (West) [4.35]: I will not waste many minutes in dealing with this motion. The mover did not impress me very much with the arguments he put forward in connection with the proposal and, having examined the matter thoroughly, I am satisfied that no great hardship will be inflicted on anyone if the motion is not agreed to. If the regulation made it mandatory for this thing to be done—so that it would have to be done in all cases—there might be some substance in the hon. member's complaint, but in fact it is done only when the Registrar thinks fit, which may be in a very small percentage of cases. For that reason I oppose the motion.

HON. H. K. WATSON (Metropolitan—*in reply*) [4.37]: The Act already sets forth the duties of a liquidator, and if he complies with its provisions, that should be sufficient. This regulation simply gives the Registrar further power over the liquidator. When I say "Registrar" I wish it to be remembered that it is not necessarily the Registrar personally who makes the decision. It may be some junior officer, as is frequently the case in Government departments.

The answers to the comments of the Chief Secretary and Mr. Fraser are, I think, contained in the following letter that I received from the Institute of Chartered Accountants. It reads as follows:—

Further to my telephone conversation with you, I confirm that my State Council would appreciate any action you can take to move for the deletion of Rule Six from "The Companies (Liquidators' Accounts) Rules, 1949."

It is the opinion of my State Council that the Creditors are amply protected by the fact that the Liquidators' Accounts have been audited and filed in detail with the Registrar, where they can be inspected by any Creditor who so wishes. We cannot see any necessity for a summary as provided in this Rule to be issued to the individual Creditors.

Apart from anything else, the Assets may have been distributed by the time the Registrar makes up his mind to require the issue of the summary in which case the Liquidator will presumably have to bear the costs of issue. Neither in our opinion is it reasonable to require the Liquidator to communicate with the Registrar before finalising his accounts to enquire whether he requires a summary of the accounts issued to the Creditors.

My State Council is also opposed to the Statutory Declarations required by the Forms of the Rules. It is considered that a certificate would suffice in view of the penal provisions of the Act, but it is not proposed to press this particular matter in view of the fact that the Forms as set out in the Rules presumably only require Statutory Declarations because the appropriate sections of the Act provide accordingly.

In other words they say, briefly, that a liquidator should be at liberty to conduct the liquidation without being at the beck and call of the Registrar or his officers on every little point. I therefore ask the House to support the motion and disallow the regulation.

Question put and negatived; the motion defeated.

### BILLS (2)—THIRD READING.

- 1, Superannuation, Sick, Death, Insurance, Guarantee and Endowment (Local Governing Bodies' Employees) Funds Act Amendment.
- 2, Guildford Old Cemetery (Lands Revestment).

*Passed.*

### BILL—INCREASE OF RENT (WAR RESTRICTIONS) ACT AMENDMENT (No. 4).

Report of Committee adopted.

### MOTION—STANDING ORDERS.

*As to Revision.*

Debate resumed from the previous day on the following motion by Hon. H. K. Watson:—

That this House is of the opinion that the Standing Orders Committee be requested to give consideration to the revision of all Standing Orders, especially Standing Order No. 191.

**HON. SIR CHARLES LATHAM (East)** [4.41]: The request of Mr. Watson is for a revision of our Standing Orders and I have to advise members that this is a motion that cannot be treated lightly because members acquire a thorough knowledge of the rules and if they are changed frequently, confusion results.\* On that account I am reluctant, unless there is some outstanding reason put forward, to agree to this motion. I am rather surprised at Mr. Fraser supporting it but for a totally different reason from that of Mr. Watson. Mr. Fraser thinks there is some necessity for it. I would point out that he is one of the members appointed by the House to the Standing Orders Committee.

Hon. G. Fraser: I did not say it was necessary; I said it would not do any harm.

**Hon. SIR CHARLES LATHAM:** If it will not do any harm, then leave the Standing Orders alone! I believe Mr. Fraser would be one of the first to ask this House to revise the Standing Orders if that course were necessary. I am pleased at his interjection because it agrees with the views I have already expressed. This House at any time may instruct the committee to take whatever action it considers necessary and it is quite within its rights in doing so.

If my memory serves me correctly, the last time a revision of the Standing Orders took place was in 1925 when the late Mr. Parker was the Clerk of the Legislative Council and Clerk of Parliaments. That revision more or less took place conjointly with another place. It is very necessary that that should happen because there should not be a conflict between the two Houses on important Standing Orders that deal with legislation. If there were conflict, we would find many disputes between the Houses and that, of course, we wish to avoid. I admit, however, that we should not be restricted in expressing our opinion on matters of legislation. It is strange, how alike throughout Australia are the Standing Orders of both Houses, where there are two Chambers.

For the short period that I was in the Senate I found no difficulty in conforming to the Standing Orders because they were almost identical with those of the Western Australian Parliament. There are principles

in the Standing Orders on which both Houses have agreed. I found that when questions were being raised in the Senate I could, almost immediately, put my hand on the Standing Orders that were relevant to the queries raised. Frequently, when temporary legislation has been introduced to cover a period of one year, it has been considered quite sufficient to meet the situation that had arisen. That is a wise course to adopt because if the legislation is to be retained, both Houses have to agree to its continuance.

However, as far as I can remember, no hard and fast rule has been set down that such legislation cannot be amended even by a private member. We are more advantageously circumstanced than members in another place inasmuch as on every sitting day of this House members may deal with private members' business—provided, of course, it is included in the Orders of the Day. That privilege is not available to members of another place because there only one day each week is set aside for the business of private members. Further, towards the end of the session members are even deprived of that day for the discussion of their own business.

Hon. H. K. Watson: That, of course, applies to Bills as well.

**Hon. SIR CHARLES LATHAM:** Yes, that is so. In answer to an interjection by Mr. Hearn, he could not have any complaint should this House reject a vital clause of a Bill or even complain if it were rejected by another place. After all is said and done, we agree with the principle of majority rule and for that reason we need take no notice of the hon. member's complaint. That is a privilege we all enjoy, and I hope it will always remain so.

I will admit that there were temporary measures introduced as far back as 1915. The one that comes to my mind at the moment is the Industries Assistance Act. That, of course, is a different type of legislation and I am not sure whether that measure should not have been passed as permanent legislation. It provided for advances which could not possibly be repaid within one year. Therefore, it was essential that it should be continued. When the Bill was first introduced in 1915 it was, of course, never anticipated that it would still be in operation in 1949 and that legislation would be introduced annually to give effect to it.

Hon. H. Tuckey : No-one would want to amend an Act of that kind.

Hon. SIR CHARLES LATHAM : There is a problem in respect of that class of legislation. I do not remember any Bill brought down specifically to repeal Acts of Parliament. I venture to suggest that no member in this House can remember any Bill brought down for the sole purpose of repealing an Act. I dare say that if we reviewed all the Acts on the statute book today we would find quite a number that are obsolete. Whilst it is not the function of the Standing Orders Committee, it might be the responsibility of the Government to appoint an officer to go through all the enactments from time to time to remove what I might describe as "dead legislation" from the statute book.

Hon. G. Fraser : Are you supporting or opposing the motion ?

Hon. SIR CHARLES LATHAM : All in good time. I like people to be a bit anxious at times. There is nothing like telling a good story and making a person wait, till the end to see how it will finish. Some members are of the opinion that when they introduce amending legislation they are restricted, because the measure will impose a burden on Consolidated Revenue. I think there has been a ruling on the point and probably it has come to your notice, Mr. Deputy President, that provided the legislation itself has authorised the expenditure, it is within the power of a private member to bring in an amending Bill which probably would impose an additional burden upon Consolidated Revenue. The expenditure in such a case, however, would have been authorised by a Message from the Governor, and the authorisation is in existence. I cannot at the moment place my hand on the ruling that is my authority for that statement, although I would have no difficulty in finding it.

True, no member may introduce a measure such as I have mentioned unless a Message has been received from the Governor authorising expenditure for the purpose. I have no wish to mislead members on that point. I think I can rely on their commonsense not to make a change lightly so far as this Chamber is concerned, because we are acquainted with the powers that we, as members, have. There are times when we will disagree with the ruling of the occupant of the Chair. I may not be an authority to follow, but when I have had

any doubt in my mind as to whether the President was wrong, I have never insisted upon the House being asked to determine the question if I considered members would support the ruling.

In some Parliaments there is an understanding that when a Speaker or a President makes a ruling—I refer more particularly to the Speaker—the Government feels it must support it. The occupant of the Chair might easily be wrong in his ruling ; but when the question is submitted to the House it becomes a different matter altogether. The decision of the House of course cannot be lightly altered, because it is in the same position as a court of appeal upholding the decision of a lower court. During the years that I was a member of another place I was always reluctant to call for a division if I considered the House was inclined to support the ruling of the Speaker because the Government thought it was its responsibility to support it.

I know of one Premier of a State who said it did not matter to him as long as he had a majority, because then he could do as he liked. That is not a sound principle. After all, we must be cautious in that respect. When Mr. Watson has had a little more experience, he will find that he has a wide scope in this Chamber. He must be able to convince members that he is right. He will find that he can introduce legislation, or move to amend legislation, but there is a proper way to do it. That way is laid down by the Standing Orders and I am not going to agree to any alteration of them for the purpose suggested.

HON. A. L. LOTON (South-East) [4.54] : I support the motion, as I would like our Standing Orders to be more definite. I refer particularly to Standing Order No. 18, dealing with the election of President. The Standing Order provides that the President shall be nominated by one member and seconded by another, and that if there are no other nominations the member so nominated shall be elected President. Any member has the right to nominate some other member and, provided that nomination is seconded, a ballot shall be held. But when we come to the absence of the President, another procedure seems to have been adopted, to my way of thinking. I admit that I have not had the parliamentary experience, nor have I the knowledge, of

Sir Charles Latham ; like most new members, I have perhaps to learn in the hard way. Standing Order No. 29 provides—

Whenever the Council has been informed by the Clerk at the Table of the absence of the President, owing to leave of absence, illness or other unavoidable cause, the members present, if a quorum, shall proceed to elect some other member . . . .

The Standing Order does not state that it is necessary to call for nominations. Therefore, automatically every other member of the Chamber is eligible for the position of President. I certainly think this Standing Order could be made more explicit. The Deputy President, when elected, assumes all the responsibilities of the President. I am fully in accord with that, but now I come to Standing Order No. 27, dealing with a vacancy in the office of Chairman of Committees. It provides—

Whenever a vacancy occurs in the office of Chairman of Committees, the new Chairman shall be appointed in a similar manner to the President . . .

The chairman shall be nominated and the nomination must be seconded ; some other member may then be nominated and if his nomination be seconded, a ballot shall be held. Next there is Standing Order No. 31 which provides—

Should the Chairman of Committees be unavoidably absent the President may take the Chair, or the members present, if a quorum, may at once proceed to elect one of their number to act as Chairman of Committees during such absence.

Who is the authority to say that the chairman shall take the Chair in Committee or who is the authority to say that the House shall elect a Chairman of Committees ?

The Chief Secretary : The President.

Hon. A. L. LOTON : The Standing Order does not say so. It says that the President " may " take the Chair. " May " does not mean " shall."

The Chief Secretary : There is a procedure or practice that we follow.

Hon. A. L. LOTON : I would like the Standing Order to be made plainer. Mr. Watson's intention is to have the Standing Orders reviewed by the Standing Orders Committee, which should give consideration to any alterations that might be suggested by members. Of course, the Chief Secretary has had a legal training and I suppose all these points are as easy for him to settle as falling out of a car—if it is easy for him to fall out of a car. If the House decided to elect a new Chairman of Committees, I

cannot see how that could be done unless we automatically followed Standing Order No. 18.

Hon. Sir Charles Latham : That Standing Order provides how it can be done.

Hon. A. L. LOTON : It deals only with the election of the President. Standing Order No. 29 does not actually make provision for the election of an Acting or Deputy President.

Hon. Sir Charles Latham : Standing Order No. 18 provides how it shall be done.

Hon. A. L. LOTON : I shall address my remarks to you, Mr. Deputy President. The hon. member has had his say. I draw attention to Standing Order No. 29. I would like to mention a case that occurred in this Chamber a few years ago. I do this, not to reflect on anyone at all, but to show the procedure that was adopted. A certain member—I think you, Sir—in the absence of the President, was nominated to be Deputy President. The nomination was seconded. I asked that a ballot be taken. That was agreed to by the House, and it was taken. There was no other nomination.

The Chief Secretary : Pardon me, it was not, but the Clerk allowed it quite wrongly.

Hon. A. L. LOTON : I am telling the House the procedure that was adopted. I am not going into the pros and cons of it. A ballot was taken, and a Deputy President elected. I think that early in 1948 the President was again absent. I was not in the Chamber at the time, but I understood that you, Mr. Deputy President, were once more nominated and seconded. Some hon. member called for a ballot, but this time it was not allowed. That all happened within a period of 18 months. That sort of thing must cause confusion, because if a person is a little bit below normal intelligence—

The Chief Secretary : He would be the only person who could not interpret the Standing Order.

Hon. A. L. LOTON : I quite understand that, but I have not the legal training of the Chief Secretary, and I must admit I cannot always interpret these things to suit myself.

The Chief Secretary : No, but you will not even follow advice when it is given you.

Hon. A. L. LOTON : Standing Order No. 32 provides—

The Chairman of Committees shall take the Chair as Deputy President whenever requested so to do by the President during a sitting of the Council.

That is quite all right, but would it not be better to lay down in the Standing Orders that if the President is unavoidably absent, the Chairman of Committees shall automatically take the Chair, or otherwise.

The Chief Secretary: The Constitution Act does that.

Hon. A. L. LOTON: I would like the Chief Secretary to speak on the subject later, and to allow me to address myself to it now.

The Chief Secretary: I am only putting you right.

Hon. A. L. LOTON: I am trying to make my remarks to the House, and I wish the Chief Secretary would not interrupt all the time. It is hard enough—

The Chief Secretary: I quite agree.

Hon. A. L. LOTON: Yes but, as I have pointed out, I have not the intelligence of the Chief Secretary—at least in his opinion. For these reasons alone—I have quoted only four Standing Orders—I think the House should give consideration to the motion. It does not mean that the Standing Orders Committee will have to do something. Mr. Fraser said, I think, that it was 30 years since the Standing Orders were in any way altered, so I consider their revision is long overdue. It is possible that in some cases different interpretations are now placed on them. I support the motion.

The Chief Secretary: They were amended in 1930, according to the book.

Hon. A. L. LOTON: I should have said, 20 years.

**HON. H. TUCKEY** (South-West) [5.5]: I am mainly concerned with the Standing Order that takes away from members the right to speak on behalf of their people when a continuance Bill comes before the House. When such measures are first brought down, they are introduced as emergency legislation and passed for a period. At that time their clauses are discussed and agreed to, or otherwise. When such a measure returns to us in 12 or 18 months' time to be continued, we should have the same right to discuss its provisions.

Some continuance measures go on for years. The one that caused some bother the other day—the Increase of Rent (War Restrictions)

Act—has been operating for four or five years. We know circumstances have altered materially in that time. Some of the people I represent are feeling it irksome and costly to put up with that legislation. The cost of maintenance has largely increased. We should have the right to discuss the provisions of that measure. If it had not come before us the other day, I do not think Mr. Watson would have bothered about our Standing Orders.

While it may be a good idea to improve some of them, I think we should be principally concerned with the one which prevents us from discussing continuance Bills. If the measure I have just mentioned comes before us next year, we shall find tacked on to it the moratorium which has just been approved. That will make it a little larger and more important. The House, however, will have no say in it. All we will be able to do will be to accept it or reject the Continuance Bill. Some Bills contain certain clauses that members feel they cannot throw out, so, to preserve them, they must also take the undesirable parts.

Hon. C. F. Baxter: A member is able to amend any part of these Bills, provided they are not money Bills.

Hon. H. TUCKEY: We are told that, but when a continuance Bill comes before us, we are informed we cannot amend it.

Hon. G. Fraser: You do not have to wait for a continuance Bill.

Hon. H. TUCKEY: An hon. member could bring down an amending Bill, but where would he get with it? He would be asked "Why interfere with this temporary legislation which will expire in 12 months' time?" He would not get the necessary support to have the Bill passed. It should be unnecessary to move such an amendment when we have the opportunity of dealing with a continuing measure every 12 months.

The Chief Secretary: You can still discuss it.

Hon. H. TUCKEY: That is no good if we cannot get anywhere. When Bills that are not money Bills come before the House, we should have a perfect right to act in the best interests of the people we represent. No member can say he is here to represent one section of the people. Some of my electors are very sore about these continuance measures. It would be a good thing to pass the motion if it would

mean that the point I have raised could be examined. I am not at the moment concerned with the other Standing Orders. I hope the House will agree to the motion.

**HON. H. L. ROCHE** (South-East) [5.10]: I cannot quite understand the opposition to the motion. As Mr. Fraser said, an overhaul of some of our Standing Orders could do no harm. Even under the motion, the Standing Orders Committee will not be instructed to make any definite alteration, but simply to give consideration to the Standing Orders. If, as a result of consideration, it does not think any alterations are warranted, then the mover of the motion, as well as those who are disposed to support it, must accept that.

We have had those continuance Bills largely as a result of wartime legislation. We have certainly had more of them recently than in the years preceding the war. These continuance Bills are not subject to any worthwhile amendments by this House, although they are really the renewal of the Acts themselves. It seems wrong that a condition of affairs should have arisen where important pieces of legislation can be put through for a limited period, and then when the time has expired and further legislation is introduced to continue the measures, they are not subject to the views of the House. We have to say either "Aye" or "No" to the whole measure.

If legislation is to be continued on these lines, this House will simply become a rubber stamp. We will have to O.K. such measures, or throw them out. I think that on most occasions the majority of us would not wish to throw out such legislation, but we might want to amend it, if it were sent here in a form in which that could be done. I do not pretend to be as well versed in Standing Orders as some other members who have spoken this evening, but there seems to be one mode of procedure open to the other place which is not available to us, and that is the opportunity of putting amendments into legislation through the process of instruction to the Committee. There seems to be more difficulty here than in the other place, judging from my experience a week or two ago when, with the President, I went fairly thoroughly into the matter of an amendment that I thought it might have been possible to move here. To my knowledge there are two precedents in the other place for that sort of procedure.

**Hon. Sir Charles Latham**: That was overridden afterwards.

**Hon. H. L. ROCHE**: It happened on two occasions. I do not know when it was overridden. I know the argument can be raised, I suppose with some justification, although to me it seems rather specious, in opposition to the proposal, that it is always open for any member of this House to introduce an amending Bill. Of course, the people who submit that argument know very well that the amending Bill would, in all probability, get very short shrift even if it were passed by this House.

**Hon. G. Fraser**: Just about the same as the amendment would get.

**Hon. H. L. ROCHE**: If legislation, part of which is necessary, is amended, we could not afford to risk the loss of the complete Act. But, if we put up an amending Bill in this Chamber I imagine that some of our friends in another place would have no compunction about what should happen to it when it reached there. I feel that earnest consideration of our Standing Orders should be given by the Standing Orders Committee in the light of developments that have taken place with continuing legislation. The Minister, upon further consideration, might welcome this motion because we have been faced with the possibility of defeating certain amending Bills when members of this House have not found themselves able to agree with a certain portion of the parent Act. I hope that the motion will be carried and it will enable the Standing Orders Committee to review completely our Standing Orders.

**HON. W. J. MANN** (South-West) [5.17]: I feel that this is a matter in which we should make haste slowly. Down the years I have come to regard our Standing Orders as a very fine and logical piece of work. The fact that they have stood the test of some very important debates, is evidence to me that we should not treat them too lightly. However, I think there are odd times when we should have more amplification and interpretation of some matters referred to occasionally in this Chamber.

There was an incident recently where the question of relevancy cropped up and almost the whole of that discussion, to my mind, centred round the interpretation of what relevancy implied and what it really meant. To me it was fairly clear, but I merely mention that case as an indication

of how it might be possible to clear up our Standing Orders so that there will be no ambiguity and members who have not had long experience, if not legal experience, might be assisted. I do not know that legal experience is of any advantage.

The Chief Secretary : It is not necessary at all.

Hon. W. J. MANN : No, I do not consider it is and I think, on occasions, that we might go a long way further if some of us did not have any legal experience. However, that is by the way, and I think the House will understand what I mean when I say I intend to support the motion. If passed it will enable the Standing Orders Committee to go through our Standing Orders and wherever it considers improvements can be made, without affecting principles, it will be able to make recommendations. I think that the principles underlying these Standing Orders are such that they should not be seriously interfered with.

Down the years there may have been some differences of opinion, and certain ambiguity has become apparent. If the motion is passed, it will enable the committee to clear up these matters and it can recommend to the House that certain Standing Orders should stand as printed or that they should be altered. It is within the province of the House to accept the recommendations of the committee, or reject them, as the House wishes. For the reasons I mention, I propose to support the motion.

HON. H. A. C. DAFFEN (Central) [5.21] : As a comparatively young member, I do not profess to be an authority on the Standing Orders, but I do realise that this motion came forward as the result of disappointment at the loss of an amendment, and the rulings of the Chairman of Committees and of yourself, Mr. Deputy President. I felt that I would have been right in voting against the motion, without any fear in my mind, but after Mr. Fraser, who often acts as Chairman of Committees, stated that in his opinion there was room for revision in some respects I am inclined to support it. However, I feel that words contained in it—I refer to the words “especially Standing Order No. 191”—are a reflection on the decisions given by the Chairman and yourself, Sir.

Hon. G. W. Miles : The House supported it.

Hon. H. A. C. DAFFEN : Therefore, I move an amendment—

That in line 4 the words “especially Standing Order No. 191” be struck out.

Amendment put and passed.

HON. H. K. WATSON (Metropolitan—in reply) [5.24] : I would like to emphasise the point that the motion is not, as one or two previous speakers have also emphasised, to amend the Standing Orders. All the motion desires is that the Standing Orders Committee shall consider our Standing Orders to see if they require revision. Perhaps the Chief Secretary might accept an invitation to interject—

Hon. G. W. Miles : That would be out of order.

Hon. H. K. WATSON : —and advise me as to when the Standing Orders Committee last met. Has it met during the last five years ?

Hon. G. Fraser : He wants notice of that question.

The Chief Secretary : Do I understand that the hon. member is asking me a question ? If so, I am afraid that he must ask the President, because I do not know.

Hon. H. K. WATSON : Sir Charles Latham mentioned, and rightly so, that we should see that the Standing Orders of this House do not conflict with those of another place. I am not able to mention it, but if I could do so I would draw members' attention to the fact that the Standing Orders Committee of another place is possibly about to review its Standing Orders—particularly with reference to Standing Order No. 180. That is a Standing Order which I suggest our Standing Orders Committee—

The DEPUTY PRESIDENT : Will the hon. member resume his seat ? It is not competent for the hon. member to anticipate legislation in another Chamber. The hon. member may continue.

Hon. H. K. WATSON : Mr. Loton has indicated one or two Standing Orders which, in his opinion, may require revision. On that particular point I may say that my own feeling is that the Standing Orders regarding the appointment of a Deputy President, in the absence of the President, should be as they are in another place with respect to the absence of Mr. Speaker.

The Chief Secretary : The Constitution Act controls it.



Hon. Sir Charles Latham : Section 12 does.

The Chief Secretary : The Constitution Act decides how a Deputy President shall be appointed.

Hon. L. A. Logan : It is exactly the same wording as the Standing Order.

The Chief Secretary : That is so.

Hon. H. K. WATSON : I am reminded, too, that when Lord Fisher was called to the Admiralty in 1914, he prefaced his remarks with this question : "What do we have a British Navy for ?" I would pose the same question this afternoon—"What do we have a Standing Orders Committee for ?"

Hon. G. Fraser : To get shot at !

Hon. H. K. WATSON : If members would read the proceedings of the Standing Orders Committee when, in 1930, it last revised these rules at the request of the House, expressed in terms similar to the motion before us, they would see an address made by the late Hon. Arthur Lovekin. That address was given at the presentation of the report of the Standing Orders Committee and members will see, if they read it, that much good would probably come from a revision, at least now and again, of our Standing Orders. On that occasion our Standing Orders Committee, after conferring with the Standing Orders of another place, brought forward some valuable suggestions which were adopted by the House. It may well be that if this motion is carried, the Standing Orders Committee may bring forward some suggested amendments which will bring our Standing Orders up-to-date. I relish the opportunity to vote on a motion on the same side as Mr. Fraser on this occasion.

Hon. E. H. Gray : You will be in good company.

Hon. H. K. WATSON : The Standing Orders Committee may find that it will be possible to amend our Standing Orders in a few directions.

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

Ayes	....	....	....	17
Noes	....	....	....	10
				—
Majority for			....	7
				—

AYES.

Hon. O. F. Baxter	Hon. A. L. Loton
Hon. L. Craig	Hon. W. J. Mann
Hon. J. M. Cunningham	Hon. G. W. Miles
Hon. H. A. C. Daffen	Hon. H. L. Roche
Hon. R. M. Forrest	Hon. O. H. Simpson
Hon. G. Fraser	Hon. A. Thomson
Hon. H. Heara	Hon. H. K. Watson
Hon. J. G. Hislop	Hon. H. Tuckey
Hon. L. A. Logan	(Teller.)

NOES.

Hon. G. Bennetts	Hon. Sir Chas. Latham
Hon. R. J. Boylen	Hon. H. S. W. Parker
Hon. E. M. Davies	Hon. F. R. Welsh
Hon. E. H. Gray	Hon. G. B. Wood
Hon. E. M. Heenan	Hon. W. R. Hall
	(Teller.)

Question thus passed ; the motion, as amended, agreed to.

### BILL—WORKERS' COMPENSATION ACT AMENDMENT (No. 2).

Received from the Assembly and read a first time.

### BILLS (2)—RETURNED.

- 1, Wheat Pool Act Amendment (No. 3).  
With amendments.
- 2, Marketing of Eggs Act Amendment.  
With an amendment.

### BILL—PETROLEUM ACT AMENDMENT.

*Second Reading.*

Debate resumed from the 9th August.

HON. E. H. GRAY (West) [5.37] : The Bill is small but of great importance. The amendments embodied in it can very well widely affect people who are exploring for oil in Western Australia. Everyone watches with intense interest the developments that are in progress, realising as they do that should the search for oil be successful, it will make a tremendous difference to the economic life of the State.

The original Act was passed in 1936 and at that time we did not know, as we do now, the vast amount of capital expenditure necessary for the proper conduct of exploratory work for oil on a scientific and practical basis. The expenditure of hundreds of thousands of pounds is involved and therefore those engaged in the work naturally look for security of tenure in the event of their operations proving successful. I understand the provisions of the Bill are similar to those of the Commonwealth Ordinance dealing with the exploratory work for the discovery of oil in Papua and New Guinea. Furthermore, I am informed that the Bill has the approval of the departments concerned.

It will be seen that the Bill seeks to amend Sections 55, 59 and 63 of the principal Act. As originally passed, Section 55 imposed a limit upon the area of a lease granted under the Act, confining it to 160 acres. In 1940 the Act was amended in several directions to bring it up to date. In that year one amendment passed excluded persons not domiciled within the Commonwealth from the benefits of the legislation and that point is also covered in the Bill before the House. In 1940 the area of a lease that could be granted was extended so that it would not exceed 100 square miles or less than four square miles unless approved by the Minister. Both those provisions are embodied in the Bill, which also seeks to repeal and re-enact Section 55 in the amended form presented to us. Then again in 1940 provision was made in the Act for what practically amounts to a reward lease in favour of the person or company that first finds oil in the State.

Hon. A. L. Loton: Was any particular area fixed?

Hon. E. H. GRAY: The lease could be anything from four square miles to 100 square miles. The position is made more definite by the provision in the Bill which will give security to the person or company first discovering oil in respect of the renewal of the lease that may be granted. That is quite a reasonable course, because naturally anyone who contemplated spending a large sum of money on work of this nature would desire to have some definite security of tenure. The legislation contains very complete safeguards from the standpoint of royalties and so forth, and in my opinion amply conserves the interests of both the State and the Commonwealth.

Clause 4 deals with that matter and clarifies the situation while at the same time safeguarding the interests of the discoverers of oil. Then again Section 63 is to be amended by deleting paragraphs (e) and (f) of Subsection (1) and substituting those set out in the Bill. These provide that in respect of petroleum or any products thereof the Commonwealth or the State shall have first call on their consumption if so required by the Minister. Under the parent Act the lessee undertakes by covenant to refine crude oil in Western Australia or within Australia and the amendment in the Bill is necessary because it is now the practice for oil companies to export crude oil and every country is at present

endeavouring to establish refineries within its own boundaries. Thus the company would be disadvantaged in Australia if it were forced to refine within the Commonwealth all oil discovered here.

Under the new paragraph embodied in the Bill, the terms of the covenant are to be altered so that the Minister shall have the right to say whether the crude oil shall be retained in Australia for refining or shall be allowed to be exported. The fact that the Commonwealth legislation is practically along the same lines warrants the House in agreeing to the Bill. In the course of his speech when moving the second reading the Chief Secretary stated that the companies were not satisfied with the provisions in the parent Act. I can quite understand why they were not satisfied. The Bill brings the legislation up to date. It also gives security to the Commonwealth, to the State and to the people who are spending these large sums of money in a search for this very valuable product. I think it is an encouragement to the people concerned and I shall support the second reading. I hope it will encourage the oil companies and others who are strenuously trying to locate sources of supply and will help to hasten operations.

Question put and passed.

Bill read a second time.

*In Committee.*

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

*House adjourned at 5.47 p.m.*