

Legislative Council

Wednesday, 17th October, 1951

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

QUESTION.

HOUSING.

As to Homes Built and Under Construction.

Hon. J. MURRAY asked the Minister for Transport:

Will he inform the House as to—

(1) the number of houses built from the 1st January, 1951, to the 30th September, 1951, under the following headings—

- (a) Commonwealth - State rental homes;
- (b) prefabricated houses;
- (c) houses by owners;
- (d) spec builders?

(2) The number of houses now under construction, detailed as above?

The MINISTER replied:

- (1) (a) Commonwealth - State rental homes completed from the 1st January, 1951 to the 30th September, 1951 667
- (b) Information not available from existing records.
- (c) Houses erected by owner - builders between the 1st January, 1951 and the 30th June, 1951 867
(Information not yet available to the 30th September, 1951).
- (d) Information not available from existing records.

- (2) (a) Commonwealth - State rental homes under construction as at the 30th September, 1951 1,141
- (b) Information not available.
- (c) Houses in course of construction by owner-builders at the 30th June, 1951 2,615
(Information not available to the 30th September, 1951).
- (d) Information not available.

MOTIONS—LAPSED BILLS.

Standing Orders Suspension.

The MINISTER FOR TRANSPORT: I move—

That so much of the Standing Orders be suspended as is necessary to enable the Bills referred to in notice of motion No. 5, which reads—

That under the provisions of Standing Order No. 425 (a) the undermentioned Bills be restored to the notice paper at the stages which they had reached in the previous session of Parliament, namely—

A Bill for "An Act to amend the Vermin Act, 1918-1950." (Second Reading. Adjourned debate.)

A Bill for "An Act to amend the Inspection of Machinery Act, 1921-1950." (Second reading. Adjourned debate.)

to be taken into consideration during this sitting.

The PRESIDENT: Under Standing Order No. 422 it is necessary that the motion be agreed to by an absolute majority of the whole of the members.

Point of Order.

Hon. A. L. Loton: I rise to a point of order under Standing Order No. 93, which reads—

If a Notice of Motion is given which contains matters not relevant to each other, the President may instruct the Clerk to divide such notice into two or more notices.

I fail to see that a Bill for an Act to amend the Vermin Act and one to amend the Inspection of Machinery Act have any connection whatever with each other. For that reason I raise objection to this motion being proceeded with as proposed by the Minister.

The President: The motion is under Standing Order No. 422, which deals with the suspension of Standing Orders. We will settle the other question at a later stage of the sitting. As it is necessary to be sure that we have an absolute majority of the whole of the members in deciding this question, I will direct the Clerk to ring the bells.

Debate Resumed.

Bells rung.

Question put.

The PRESIDENT: As there is no dissentient voice and an absolute majority of members is present, I declare the question duly passed.

Question thus passed.

To Restore to Notice Paper.

The MINISTER FOR TRANSPORT: I move—

That under the provisions of Standing Order No. 425 (a) the undermentioned Bills be restored to the notice paper at the stages which they had reached in the previous session of Parliament, namely:—

A Bill for "An Act to amend the Vermin Act, 1918-1950." (Second reading. Adjourned debate.)

A Bill for "An Act to amend the Inspection of Machinery Act, 1921-1950." (Second reading. Adjourned debate.)

Hon. A. L. LOTON: I will now raise the point which I tried to submit previously. I was under a misapprehension on that occasion and I apologise. My impression is that it does leave the onus on you, Sir, to divide the questions. I admit that, but I think we are dealing with two totally different Bills. The vermin Bill was introduced by the Minister for Agriculture and certain points were raised during the debate on it to which I think the Minister will reply. For that reason, I do not think it should be restored to the notice paper at this stage, otherwise it might be put through without the Minister having an opportunity at this juncture to reply to members who are desirous of having the objections raised dealt with by him. I ask the House not to agree at this juncture to the motion with the inclusion of the reference to the Vermin Act Amendment Bill.

The PRESIDENT: I suggest to the hon. member that his correct method of obtaining his end would be to move an amendment to the motion with that object in view.

Hon. A. L. LOTON: On your suggestion then, Mr. President, I move an amendment—

That in lines 7 to 9 the words "a Bill for 'An Act to amend the Vermin Act, 1918-1950' (Second reading. Adjourned debate)" be struck out.

Hon. G. FRASER (on amendment): I hope Mr. Loton will think twice before going ahead with his amendment. I do not know what his intentions are with reference to the vermin Bill, but I am of the opinion that he is adopting what may prove a very dangerous course at this stage. If his amendment is carried—in the time at my disposal I have not had an opportunity to look up the Standing Orders—I doubt whether we will be able to consider the measure as an item on the notice paper at all this session. I do not think he wants that. He should ponder very seriously before proceeding with his proposal. If we agree to the amendment, the House will have arrived at the decision that the Bill is not to be restored to the notice paper. That will be the effect.

Hon. H. K. Watson: What about Standing Order No. 121?

Hon. G. FRASER: We will have to evoke Standing Orders in order to get over the position. We had enough argument last week as to what Standing Orders mean or do not mean. Even if Mr. Loton achieves his objective, how far will that advance the interests he has in mind? I assume that his only objection to the motion is that the two measures are taken together. If the amendment were agreed to, a separate motion would have to be proposed to restore the Bill to the notice paper.

The motion seeks to achieve by one act what he suggests should require two separate motions. I can see no advantage in that. While I can see no advantage, I visualise a danger. If the Bill is of value to the farming community, Mr. Loton should certainly think twice before continuing with his amendment, which might place the vermin Bill in jeopardy. I believe there is some virtue in that measure that will be of advantage to the community generally. At this stage, I would not do anything to jeopardise the interests of the rural community in that respect.

Hon. H. K. Watson: But what about Standing Order No. 427?

Hon. G. FRASER: Quite so.

Hon. H. K. Watson: A separate Bill might be introduced again.

Hon. G. FRASER: I quite understand that.

Hon. Sir Charles Latham: You are misleading the House.

Hon. G. FRASER: I do not think so. Without having consulted the Standing Orders in the time at my disposal, I consider the amendment dangerous and ask Mr. Loton to ponder further on the point.

Hon. L. A. LOGAN (on amendment): The whole idea behind Mr. Loton's amendment is that if the Bill is restored to the notice paper it is possible the measure would be taken through the Committee stage at this sitting. If the Minister will give an assurance that that course will not be adopted and that questions we raised at the second reading stage will be answered by the Minister for Agriculture so that we will know what we are voting on, the position will be satisfactory to us. I mentioned certain matters in my second reading speech, to which I have not had any reply. I am still of the opinion that I cannot vote on the measure unless I have that necessary information. If the Minister gives us an assurance that the Bill will not be taken through Committee, we will be satisfied.

Hon. Sir CHARLES LATHAM (on amendment): I do not like Mr. Fraser's misleading the House. Standing Order No. 427 says—

Should the motion for restoration to the notice paper be not agreed to by the House in which the Bill originated, the Bill may be introduced and proceeded with as an original Bill.

I want to make it clear that I am not supporting Mr. Loton's amendment but the House should not be misled by Mr. Fraser's remarks. I know it was not intentional; I know he did not have an opportunity to look up the Standing Orders. However, if the Minister gives an undertaking that the Committee stage can be deferred until the Minister for Agriculture returns, that will be quite satisfactory.

Personal Explanation.

Hon. G. Fraser: On a point of explanation, Mr. President, I have never attempted to mislead the House and I had no intention of doing so. I do not resort to such tactics and never will. The statement made by Sir Charles Latham was not fair. I made it clear that I had not consulted the Standing Orders, but I suggested what I thought would happen. If members will look at Standing Order No. 120, they will find justification for the attitude I adopted.

Debate Resumed.

The MINISTER FOR TRANSPORT (on amendment): I assure the House that I thought I was following the usual procedure and the common practice of both Houses. I can inform Mr. Loton that it is not my intention to proceed with the Bill beyond the point where it may be necessary to refer certain matters to the Minister for Agriculture. As the issues involved were, I considered, quite simple, I thought that course could be adopted,

and if members will take the Bill to the Committee stage, I shall be quite happy to report progress.

Amendment put and negatived.

Question put and passed.

Council's Message to Assembly.

The MINISTER FOR TRANSPORT: I move—

That a message be transmitted to the Legislative Assembly as follows:—

In accordance with the provisions of Standing Orders relating to Lapsed Bills, adopted by both Houses, the Legislative Council requests the Legislative Assembly to resume consideration of the undermentioned Bills which lapsed during the last session of Parliament:—

Agriculture Protection Board Act Amendment.

Marketing of Eggs Act Amendment.

Feeding Stuffs Act Amendment.

Point of Order.

Hon. H. K. Watson: I would suggest for the Minister's consideration and yours Mr. President, the point raised by Mr. Loton with respect to the previous motion as to the applicability of Standing Order No. 93. It is the custom, when the House passes a Bill, for it to be sent by message to the Legislative Assembly. If this House passes three Bills or half-a-dozen on the same day we do not send them all by one message. We send a separate message for each Bill. I suggest that if that practice is departed from in this case, we may find some difficulty in procedure in dealings between the two Houses as matters progress in each House in connection with these Bills or any one of them.

I consider, therefore, that in the same way as, when a Bill passes the third reading here it is sent to the Assembly by a separate message so, in the interests of the orderly conduct of business between the two Houses, a separate motion is required with respect to each of the Bills mentioned in the motion under discussion. The Standing Order under which this motion purports to have been proposed suggests a separate motion for each Bill, and I think that commonsense also suggests the adoption of that course. I would either submit the point for your ruling or, alternatively, suggest to the Minister the desirability of having a separate motion with respect to each Bill. I raise the question purely in the interests of the orderly conduct of business.

The Minister for Transport: It seems to me that the interpretation of the Standing Order quoted would relate to the manner by which Bills are actually sent to another place. We are merely asking another place to restore to its notice

paper three measures which have passed this House. To that extent the conditions are exactly similar in each case. We have dealt with the three Bills; they have had our blessing and we have sent them to another place for consideration. We are now dealing with the procedure in relation to restoring the Bills to the notice paper rather than with the subject matter of the Bills themselves. That seems to me to be the meaning and intention of the Standing Order, and I see no difficulty about three Bills going forward together under those circumstances.

The President: So far as the motion is concerned, I do not think Standing Order No. 93 really applies, because we are simply dealing with the question of restoration of Bills to the notice paper. As pointed out to Mr. Loton, it is quite competent for any member who disagrees with the idea of any particular Bill being restored to the notice paper to move an amendment. If such an amendment were successful, it would simply mean, in accordance with Standing Order No. 427, that the Bill could be reintroduced and proceeded with as an original measure.

In those circumstances I am inclined to think that by grouping the Bills as they are in the motion, the objective aimed at is their restoration to the notice paper. Seeing that the House has already decided the fate of those Bills and sent them to the Legislative Assembly, I think members can be regarded as having passed them and as now simply making a request to the other House to resume considering them at the point at which consideration was discontinued. Therefore, unless the hon. member wishes to move an amendment, I propose to put the motion.

Debate Resumed.

Hon. J. G. HISLOP: Might I draw attention to the wording of the motion, which may lead to some other ideas? It reads—

In accordance with the provisions of Standing Orders relating to Lapsed Bills, adopted by both Houses, . . .

Would it not be better to put "adopted by both Houses" somewhere earlier in the sentence? Otherwise it could be interpreted that the lapsed Bills had been adopted, whereas the Bills were adopted only by this House. Would it not be better to say, "In accordance with Standing Orders adopted by both Houses, relating to lapsed Bills, the Legislative Council requests etc.?"

Question put and passed.

COMMITTEES FOR THE SESSION.

Standing Orders.

On motion by the Minister for Transport, the following members were elected to the Standing Orders Committee:—Hon. H. S. W. Parker, Hon. A. L. Loton and Hon. G. Fraser.

Library.

The MINISTER FOR TRANSPORT: I move—

That in accordance with Standing Order No. 34 the following members be elected to serve on the Library Committee during the present session:—Hon. J. G. Hislop and Hon. L. A. Logan.

Hon. Sir CHARLES LATHAM: I have no objection to the motion but I want to know whether this committee ever meets; and, if it does, to whom does it report? I would like to hear something about it. We appoint this committee year after year and I do not know whether its members even meet. The members who are asked to represent the House on this committee may be able to give us an idea as to whether they have met and the nature of the business they have transacted, following which we may then consider whether its appointment is worth while.

Hon. J. G. HISLOP: Mine has been like a voice crying in the wilderness but now I do not cry alone. This is the most farcical situation with which I have ever been associated. Year after year I have protested that the Library Committee has not the slightest value, nor does it do the slightest bit of work. I see no need for a Library Committee. When I was first appointed as a member of it I became very active, but I soon lost my enthusiasm because those in authority appear to have no intention of maintaining the library decently or to provide a staff to control it.

Unless we appoint a librarian I can see no use for the Library Committee. It is absolutely farcical to appoint members year after year to a committee and then, when it does meet, it can do nothing. The committee has no money and there are books going to rack and ruin. At the very least we should have someone in charge to care for it, but a library means more than that. Unless we have trained staff we will never be able to do anything with the library. I do not want to make a long speech, but the position is farcical and the committee now never meets.

The MINISTER FOR TRANSPORT (in reply): I think in a sense that Dr. Hislop has answered his own questions in as much as the committee appears to have an active member on it now who can, if he keeps pegging away, obtain results.

Hon. J. G. Hislop: Is that a promise?

The MINISTER FOR TRANSPORT: Unfortunately, I am not the Treasurer and I cannot answer that question in the affirmative. But if Dr. Hislop feels as he does and follows his ideas up, I think, with the sympathetic support of the House, the committee may be able to

achieve something. The Constitution provides for the appointment of a Library Committee and an active member on it may travel in some direction towards the end that he seeks to obtain.

Question put and passed.

House.

On motion by the Minister for Transport, the following members were elected to the House Committee:—Hon. J. A. Dimmitt, Hon. Sir Charles Latham, Hon. W. R. Hall and Hon. H. Hearn.

Printing.

On motion by the Minister for Transport, the following members were elected to the Printing Committee:—Hon. E. H. Gray and Hon. J. M. A. Cunningham.

**BILL—BUSH FIRES ACT
AMENDMENT.**

Second Reading.

THE MINISTER FOR TRANSPORT
(Hon. C. H. Simpson—Midland) [5.8] in moving the second reading said: In submitting this Bill for consideration by members, I would like to give them some information on the operations of the Act. There are now 434 registered brigades operating in the State south of the Murchison River. The majority of these brigades are well equipped with the latest fire-fighting equipment. The protection system is well organised in most districts and brigade members are keenly alive to their responsibilities.

Unfortunately there are a small number of local authorities which have not yet made the necessary arrangements to protect their districts completely. Under Section 35A of the Act, 51 local authorities have applied to have their districts declared as approved areas to enable rate-payers to obtain the 25 per cent. reduction in crop insurance premiums. Of the applications received, 29 have been approved, 16 refused or deferred, and six are now under consideration.

In connection with the registration of bushfire control officers and brigades, I would like to stress the fact that local authorities must keep the department informed on the appointment of new control officers or new brigades, so that the necessary registration can be made by the department. This is essential because, should any legal action arise as a result of an outbreak of fire, the legal standing of fire-fighters or brigades might be questioned, and proof required of the registration of the officers concerned or the brigade.

As members are aware, there have been many requests for the insurance of fire-fighters and their equipment; and in October last year an amendment was made to the Bill before the House to provide for compulsory insurance by

local authorities. Unfortunately the insurance companies were not prepared to issue policies to the local authorities and so far the protection desired has not been given. In order to overcome the difficulty, there have been conferences between the chairman of the Rural Fires Prevention Advisory Committee and representatives of the insurance companies, and between the insurance companies' legal advisers, the Attorney General and officers of the Crown Law Department to find ways and means of overcoming the problem. As a result of these conferences the present Bill has been drafted.

The Bill provides for the Rural Fires Prevention Advisory Committee to fix the extent and conditions of insurance to be effected by the local authorities. The committee's decision is subject to the approval of the Minister. The Rural Fires Prevention Advisory Committee has four road board representatives on it. The Underwriters' Association is also represented on the committee, so that it should be possible for the committee to arrange conditions that are fair and reasonable to all concerned in this problem. I move—

That the Bill be now read a second time.

On motion by Hon. N. E. Baxter, debate adjourned.

**LAPSED BILLS—RESTORATION
TO NOTICE PAPER.**

Assembly's Message.

Message from the Assembly received and read requesting restoration to the notice paper of the undermentioned Bills:—

Building Operations and Building Materials Control Act Amendment and Continuance.

Bunbury (Roman Catholic Old Cemetery) Lands Revestment.

Country Towns Sewerage Act Amendment.

Hospitals Act Amendment.

Law Reform (Common Employment).

Main Roads Act (Funds Appropriation).

Metropolitan Water Supply, Sewerage and Drainage Act Amendment.

Parliament House Site Permanent Reserve (A1162).

Pig Industry Compensation Act Amendment.

Prices Control Act Amendment (Continuance).

Real Property (Foreign Governments).

Trustees Act Amendment.

**BILL—INSPECTION OF MACHINERY
ACT AMENDMENT.**

Second Reading.

Debate resumed from the 11th October.

HON. E. M. DAVIES (West) [5.16]: I have examined the Bill and I have no objection to it. Therefore, I support the second reading.

Question put and passed.

Bill read a second time.

In Committee.

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

ADJOURNMENT—SPECIAL.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland): I move—

That the House at its rising adjourn till Tuesday, the 23rd October.

Question put and passed.

House adjourned at 5.19 p.m.

Legislative Assembly

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

QUESTIONS.

GASCOYNE ELECTORATE.

As to Visits of Crown Officers.

Mr. **GRAHAM** asked the Premier:

(1) What officers of the Crown have visited the Gascoyne electorate—

(a) since the resignation of Mr. Wise;

(b) during the three months immediately preceding his resignation?

(2) What was the total cost of such trips, respectively?

The **PREMIER** replied:

(1) (a) Transport Officer (Transport Board); Secretary, Transport Board; Officer of Prices Branch; Assistant Surveyor General; Engineer for the North-West; Cost and Wages Inspector (Public Works Department); Acting Executive Engineer (Main Roads Department); Health Inspector (two trips); Officer of Infant Health Department; Chairman, State Housing Commission; Under Treasurer.