

arrived at which, as far as I know, have been substantially put into operation by the Government. I have no hesitation in believing that, if the intentions which were known in November of last year—when these recommendations were made—are carried into effect, and if no considerable setback occurs in the next year or two—such as a drought, for instance—that company can be considered to be on the high road to success.

I was very glad to hear the hon. member for Moore, as one who has had practical experience of this company's product, express the opinion that it is a good one and its spare part service is good also. A problem that concerned me during the course of this inquiry was the question of the availability of spare parts; and it was fairly closely investigated. If a certain amount of reorganisation is made within that concern, and provided there is careful management—as there appears to have been in the last year or so prior to our report being made—I am ready to believe that the company will be on the high road to success and will make a contribution, even greater than that suggested by my colleague from Moore a few minutes ago, to the development and betterment of Western Australia.

However, I sound this note of warning: It does require careful management. I think one of the factors that contributed to its slow rate of progress in its earlier days was that it did not have that careful management. I believe it has had it in recent times; and if it continues to have it and adheres closely to the programme laid down for it, I think its prospects are fairly sound; and I do not suppose that anybody in the rural districts would be sorry to hear that that was so, as I believe it will be so.

In my district those who have purchased agricultural implements from this company hold the same view as has been expressed by the hon. member for Moore. As I have already said, if these precautions are taken, the work of the committee will have been well worth while—although it took up a great deal of time at intervals during the period I have referred to—and will have made, I venture to say, some contribution to preventing what would probably have been a millstone round the neck of the Government and the Rural and Industries Bank. However, I do not think that can be said of the company today. I will content myself with those remarks, and anything else I want to say can be said on the departmental estimates.

Progress reported.

House adjourned at 5.50 p.m.

Legislative Council

Tuesday, the 28th October, 1958.

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

QUESTIONS ON NOTICE

PARKINSON'S DISEASE

Medical Research into Cure

1. The Hon. A. F. GRANT asked the Minister for Railways:

(1) To what extent has medical research been conducted in Western Australia in an attempt to discover a cure for Parkinson's disease?

(2) Is it a fact that research being conducted by the Mont Park Clinic, in Victoria, has resulted in successful operations on patients suffering from the disease?

(3) Will the Government give consideration to asking a representative from Western Australia to visit the Mont Park Clinic with a view to obtaining further information in order that people in this State, afflicted by the disease, may receive the benefit of further research?

(4) Will the Government also consider making inquiries concerning any intended visits overseas by Western Australian surgeons who might be approached and assisted financially whilst overseas in the research into Parkinson's disease?

The Hon. C. STRICKLAND replied:

(1) No research has as yet been conducted.

(2) Yes.

(3) Yes.

(4) The boards of management of the Royal Perth Hospital and the Princess Margaret Hospital have already agreed to contribute to the expenses of one of their staff's neuro-surgeons for a study period abroad of six months' duration.

LAND CERTIFICATES OF TITLE.

Delineation of Sewerage and Stormwater Mains.

2. The Hon. R. C. MATTISKE asked the Minister for Railways:

In view of the importance to purchasers of land and prospective owners of new buildings, would the Minister take steps to ensure that sewerage and stormwater mains are delineated on land certificates of title, or to ensure that some other action is taken to protect the interests of such persons?

The Hon. H. C. STRICKLAND replied:

The Transfer of Land Act, 1893-1950, provides for the noting of registered interests only on certificates of title. In view of the large number of easements which would be involved, the registration of such interests would necessitate a substantial expansion of the Titles Office.

This is not warranted because plans showing existing sewerage mains and stormwater drains may be inspected at the departments controlling such facilities, e.g., the Metropolitan Water Supply Department and the Public Works Department. Where practicable, information in regard to prospective works will also be supplied.

FISHING INDUSTRY.

Processing at Lancelin and Albany.

3. The Hon. L. C. DIVER asked the Minister for Railways:

(1) Is the Minister aware that a fishermen's co-operative society has been formed at Lancelin to acquire the freezing works to process crayfish on the spot, thus avoiding losses occasioned by transporting to Fremantle or elsewhere?

(2) In order to protect the salmon industry at Albany, was a direction given to stop the cartage of salmon away from Albany so that it could be treated at the works there, thus avoiding wastage on account of transporting it away?

(3) If the answer to No. (2) is "Yes," and as the Government has admitted that it is aware of the considerable loss of crayfish which was transported from Lancelin to Fremantle, will the same direction be given in regard to cartage of crayfish from Lancelin to avoid wastage?

(4) Does the Minister agree that the establishment of a works at Lancelin and the amount of crayfish available there for

processing will be of great benefit if these two factors can be dovetailed by ensuring a good exportable article?

The Hon. H. C. STRICKLAND replied:

(1) No.

(2) Road transport of salmon to Perth for canning was prohibited to protect the interests of an established cannery at Albany.

(3) The overall loss of crayfish transported by road from Lancelin to Fremantle last season was as low as 2.6 per cent. As the Fremantle Fishermen's Co-operative Society has already expended large sums in installing an efficient processing plant at Fremantle, action to prohibit the bringing down of crayfish caught at Lancelin by members of that co-operative, who have themselves provided the capital necessary for such plant, does not appear to be justified.

(4) Previous efforts to process crayfish economically on the mainland at Lancelin do not appear to have been successful. At all events, both factories have ceased operations.

TOWN PLANNING AND DEVELOPMENT ACT AMENDMENT BILL.

First Reading.

Introduced by the Hon. H. C. Strickland (Minister for Railways) and read a first time.

LONG SERVICE LEAVE BILL.

Third Reading.

Read a third time and returned to the Assembly with amendments.

ELECTORAL ACT AMENDMENT BILL (No. 2).

Second Reading—Defeated.

Debate resumed from the 22nd October.

THE HON. A. F. GRIFFITH (Suburban) [4.41]: I appreciate very much the fact that the Minister asked for Order of the Day No. 3 to be dealt with before Order of the Day No. 2, because it does enable me to address myself to the Electoral Act Amendment Bill (No. 2) first instead of having to address myself to the Constitution Acts Amendment Bill (No. 2). One Bill is, of course, complementary to the other, but it is correct to say that there is basically more to be said, or rather more argument, in regard to the Electoral Bill than there is in regard to the Constitution Bill. Therefore, it does afford me an opportunity to speak first on Order of the Day No. 3.

The Minister, during this session, has been very good, if I may say so, in not changing the Orders of the Day as printed

on the notice paper, but on this occasion I asked him to deal with Order of the Day No. 3 before Order of the Day No. 2, and he very kindly consented.

This Bill, introduced on behalf of the Government by the hon. Mr. Wise, left me in a certain frame of mind, because when I sat here listening to the hon. member's speech, and when I subsequently availed myself of the opportunity of going through it again, it did strike me that whilst Hansard is well and truly able, through the process of time, to report most accurately and, sometimes, in more correct English than that in which, perhaps, some of us deliver speeches, it was not possible for Hansard to capture the frame of mind in which the hon. member found himself on the afternoon he delivered this particular speech. Hon. members might recall that he delivered it with a smile on his face—or half a smile—and with a degree of facetiousness, but when one reads his speech one finds every word of it seems to be most direct, deliberate, and without any facetiousness.

The hon. Mr. Wise, when introducing the Bill, said that the idea behind it was to conform to Labour Party policy, and that the Bill would make voting for the Legislative Council identical with that for the Legislative Assembly. As I speak further on the Bill, I think in one small but important detail I can point out to the hon. member that that is not quite the set of circumstances which would exist were the measure to become law. The Bill is identical to the one which was introduced into the House last year, with two small exceptions, namely, two clauses that were in the Bill of last year are not included in this one. They were separated and put into another Bill, and that Bill is at the moment in another place having been delivered back to the hon. members of that House with a message to the effect that we thought it should have a constitutional majority. This Bill, on the other hand, as I said the other night when speaking on another matter, although identical except for the last two clauses, comes to the Legislative Council with a constitutional majority; and I am very pleased about that.

The Bill intends to amend Sections 17, 22, 31, 38, 40, 42, 44, 45, 50, 51, 52, 60, 62 and 119 of the principal Act. Last year's Bill, in addition to the above sought to amend Section 156, and also the heading of Division 7 of Part IV of the Act; and in that one respect, I think the hon. Mr. Wise—I am sure not intentionally—was incorrect when he asserted that this Bill would make voting for the Legislative Council identical with that of the Legislative Assembly, because were this Bill to become law, the position would be that voting for the Legislative Assembly would be compulsory—enrolment for the Legislative Assembly would be

compulsory, and enrolment for the Legislative Council would be compulsory—but there would be no provision for compulsory voting for the Legislative Council, although, as I said, enrolment would be compulsory.

That is the reverse of the position which would apply should the Bill we returned to another place be passed through this House. To my mind, this Bill is a Labour Party Bill. It is not a Bill introduced for the good of the State of Western Australia, but for the good of the Labour Party in this State, and the idea is to force people to vote. In that regard, I would like to quote to the House a few brief lines from the "Sunday Times" of the 11th May, 1958—the day after the last Legislative Council biennial elections—because I think it is worth recording the comment made by the Premier. An extract from the article reads as follows:—

Last night the Premier (Mr. Hawke) said that without detailed knowledge of the voting, all the retiring members appeared to be safe.

"I think that the fact that compulsory voting operated in effect at the last biennial elections (when the vote was taken on the same day as for the Assembly) helped Labour considerably. This time the poll was much smaller and judging on the result of two years ago, most of the people who did not vote were the type who would normally have cast their votes for Labour," he added.

I would like to know who the type of people are that the Premier referred to. Surely it is indeed casting a grave reflection upon those who hold a franchise for the Legislative Council to say that the type of people who vote usually for the Labour Party did not go and vote on this occasion. Surely that is a grave reflection. But what does it mean? Does it mean that the type of people who usually vote for the Labour Party on election day were not in evidence; that they were down at Fremantle attending the jackpot meeting, which I believe was held on the same day? Does it mean that this is the same type of individual as the Premier referred to as the type that he and his Government would have forced to the poll to vote for the Legislative Council elections under adult franchise and under compulsory voting?

We, who are members of the Liberal and Country League, believe in a bicameral system of government. We believe it is a right and proper thing to have two Houses of Parliament, elected each on a different franchise from the other, and it is interesting to observe that the desire for adult franchise for the Legislative Council of Western Australia seems to have come to the surface much more frequently in recent years than in the past.

An examination of the period from 1934 to 1937, when we had a moderate Labour Government in office in this State, shows that during that time there was only one attempt to introduce into this House a Bill seeking to give adult franchise to the Legislative Council. As far as I can recollect, that legislation was brought down in 1934. From the research I have undertaken, there is no evidence of other Bills of that nature being introduced during the period with which I am dealing, and that is rather an amazing thing, seeing that over the years this State has prospered and has suffered depressions or recessions alternatively. Yet, during that time there was only one attempt to introduce adult franchise for this Chamber although, in the past six or seven years, such legislation has become a hardy annual. This state of affairs has been brought about by the present Government, which feels much greater pressure in this regard than did the Labour Governments of former times.

I repeat that we believe in a bicameral system of Parliament, and feel that it would be detrimental to the State if both the Legislative Assembly and Legislative Council were elected upon the same franchise. I would pose this question to hon. members: If we were starting out tomorrow to institute a form of Government in this State, would we not all believe in a bicameral system of Government? We certainly would, and we surely must find that it would be better to have one franchise for one House and a different franchise for the other.

The Hon. R. F. Hutchison: Why?

The Hon. A. F. GRIFFITH: I feel quite sure that were one able to play a recording of last year's Hansard on a scratchy gramophone, one would hear from the hon. member the same speech as she will no doubt make on the present measure. All I ask is that I be permitted, Mr. President, to make this speech and then, in due course, we will hear again from the hon. member the speech she made last year; or one very similar to it. The hon. member asked "Why"? The answer is a very simple one; plainly because it would be undesirable for this Chamber to become a rubber stamp for the Legislative Assembly. I would point out that Federal Labour thought along the same lines, because it was the Federal Labour Party which was responsible for changing the method of representation for the Senate in the Federal Parliament. There, whilst the franchise is the same—it is adult franchise with compulsory voting—the system of representation is different—and in the Senate it is the States which are represented on an equal basis—so that we have a different representation in each of the two Houses.

I am pleased to think, as I said when commencing my remarks on this measure, that it came to us with a constitutional majority; but what sort of a mess has the Government got itself into with the number of electoral Bills that are on the notice paper at present? Apparently somebody thought it was smart or that is was the proper thing to do to remove two of the clauses which were in the Bill of last year, which contained 18 clauses as against 16 in the measure with which we are dealing. If this Bill were to become law, I feel we would have compulsory enrolment and voluntary voting for the Legislative Council; and that was not what the other measure sought. It sought the reverse; that there should be compulsory voting, and we know that the Premier wants compulsory voting, because he wants to force to the polling booths the type of people that he referred to as not having voted last time.

I am of the opinion that we are far better off with voluntary voting for this Chamber than we would be with the compulsory vote; and if I were asked to register my vote in connection with the question of whether there should be voluntary voting for the Legislative Assembly, as well as for the Legislative Council, I would vote for voluntary voting for the Legislative Assembly. I would vote in that way because I am of the opinion that the man who says "Because of my responsibility to my State I should cast a vote, and I will vote in order to exercise the franchise that I am entitled to exercise," is what one could refer to as a thinking type of voter, rather than the kind of person the Premier referred to as the type he would force to go along to vote and who, unfortunately for the Labour Party, did not, according to the Premier, vote at the last election.

There is a very interesting article in one of the country newspapers, "The Geraldton Guardian," of the 18th October, 1958, where, under the heading "Compulsory Voting" we read—

Those who read a brief news item this week stating that on a party vote of 24 to 17 the Legislative Assembly endorsed a Government Bill making voting at Legislative Council elections compulsory for those enrolled, probably wondered whether one section of parliamentarians desires to protect or restrict individual liberties. Why respectable law-abiding citizens should not enjoy the right to vote or refrain from doing so, just as they have the liberty to go to church or stay away, is puzzling. We have freedom of assembly, freedom of speech, freedom of the Press and freedom of worship. Then why should we be driven to the polls? It is logical to suppose that those who abstain from voting do so for a variety of causes. They may

consider the intelligence of the candidates does not warrant putting any of them into Parliament. They may be too ignorant to be interested in the issues at stake. They may be tired of the party system and consider that unless there is an independent in the field it is not worth the trouble of going to vote for the endorsed candidates. Whatever their reason for desiring to refrain from exercising the franchise, surely in a democratic community they are entitled to their opinion—

The Hon. F. J. S. Wise: What is the date of that?

The Hon. A. F. GRIFFITH: The 18th October this year.

The Hon. F. J. S. Wise: Is it referring to the debate of this year?

The Hon. A. F. GRIFFITH: No, it just expresses an opinion.

The Hon. R. F. Hutchison: Freedom of the Press!

The Hon. F. J. S. Wise: It is not referring to a debate in another Chamber?

The Hon. A. F. GRIFFITH: It is expressing an opinion on the question of compulsory voting. Continuing—

It is often contended that the voice of Parliament is the voice of the people. That is true only up to a point. Actually, it is the voice of whatever political faction happens to be in power at the moment. And decisions the factions make may not enjoy the unanimous support of the rank and file who voted them into office. There is a distinct dislike of compulsion in Australia, where individual liberty is highly prized.

If the parliamentarians were unpaid, giving their time to the country for nothing through sheer patriotism, the average individual might view them differently. Nobody compels them to stand for election—they do so because it suits them. Then why should citizens be forced to the polls to vote for them?

If there is one procedure Australians detest, it is being "pushed about." They deplore being "stood over" with the threat of a fine if they do not go to the ballot box, contending that, if they do not consider voting a matter of sufficient importance, the question is one for their own personal judgment, which may be quite as sound as that of any group of parliamentarians. In other words, they are not going to have anybody dictate to them whether they must go to the polling booth. To order them to vote is to challenge their freedom of individual decision.

The inevitable result of compulsory voting is the inclusion in the count of uninformed opinions and the discovery of a number of deliberately spoilt ballot papers. Just how that helps in progressive government is known only to the brilliant champions of democracy who expound this remarkable proof of their belief in freedom.

At one time the Labor movement was admired for its vigorous campaigning for liberty. Recently it has sunk to the level where public criticism of Dr. Evatt is likely to result in drastic retaliation. Seemingly only Evatt and God are infallible. More and more the dictatorial attitude is becoming apparent. Now it is not sufficient to "discipline" those who dare to express open disagreement with King Evatt. The general public are to receive their "marching orders" too in the form of compulsory voting—if the Bill survives.

What the Laborites do within their own sphere is their own business. If their supporters are spineless enough to bow to dictation, that is their own pitiful fate. But it is a different matter when a party decides to tell all people they must vote if they are on the roll because it says so.

I do not subscribe to some of those remarks, particularly the last few, which are unfair to any political party.

The Hon. H. C. Strickland: Is it the newspaper's own view?

The Hon. A. F. GRIFFITH: Yes, it is the editorial of "The Geraldton Guardian."

The Hon. H. C. Strickland: Of what date?

The Hon. A. F. GRIFFITH: The 18th October, 1958.

The Hon. H. C. Strickland: That is referring to this debate.

The Hon. A. F. GRIFFITH: No, it is not, because this debate has only just started.

The Hon. F. J. S. Wise: It is referring to a debate in another place.

The Hon. A. F. GRIFFITH: It is an opinion given on the question of compulsory voting. I subscribe to the views expressed in the article that we are free to worship as we like, to assemble as we like, to speak as we like—

The Hon. R. F. Hutchison: You mean you are free.

The Hon. A. F. GRIFFITH: —as long as we do not interfere with the other person's speech. It would indeed be a detrimental step to make voting for the Legislative Council compulsory. Whatever one's personal views are concerning this Chamber, there is no doubt that it has

stood the test of time and, when the division bells ring for a vote to be taken on this Bill—and ring they will!—there will be hon. members who will be obliged to vote for it, but if they followed the dictates of their own consciences they would have the Legislative Council go on in the way it is at the moment.

The Hon. F. R. H. Lavery: I will not be one of them.

The Hon. A. F. GRIFFITH: To bring about adult franchise for the Legislative Council, is purely to conform with the other part of the Labour Party's policy which clearly states, "abolition of the Legislative Council." I find it difficult to believe that the hon. members of this House want to do themselves out of a job which they are able to do for their electors.

The Hon. R. F. Hutchison: I object to the implication in that remark. I, for one, would be glad to see this House abolished.

The PRESIDENT: I do not think that is a point of order.

The Hon. A. F. GRIFFITH: I simply said—

The Hon. R. F. Hutchison: Don't reflect on other people, then!

The Hon. A. F. GRIFFITH: —that hon. members of this House do a great deal of good for electors in their districts. If the hon. member objects to that, I withdraw the remark. I oppose the second reading.

THE HON. R. F. HUTCHISON (Suburban) [5.7]: I support the second reading of the Bill, and the speech we have just heard is only what one would expect from the leader of a party that has gloried in, and upheld the principle of, "might is right." That has always been the principle that has been followed in this House, but to me that principle and the existing legislation governing the voting for this Chamber are a negation of democracy. I would expect the hon. member who has just resumed his seat to be very pleased with the voting for the Legislative Council as it stands at present.

I apologise for my voice being scratchy like a gramophone record, but I have had a bad cold and I hope I will be excused. To my mind adult franchise for the Legislative Council is a prerequisite to true democracy, and yet it has never been exercised in Western Australia. I would have hesitated to read to this Chamber a newspaper article such as that read by the hon. Mr. Griffith, which is an outstanding example of a prejudiced opinion on what is right and just. The bicameral system grew up out of the early abuses that were practised in England. The people rebelled against the might and right of kings and sought to obtain truer democratic Government, so I would hesitate, in a young and growing country such

as this to express my pride in the franchise such as the one we have for the Legislative Council which can do nothing but hold back our State.

The policy of might against right might appeal to the hon. members opposite, but it does not appeal to the hon. members on this side of the House. We are fighting against that principle. The hon. members on this side of the Chamber know, and those on the other side must also know, that, slowly but surely, we will overcome the obstacles that are placed in our way by persevering to have true democracy introduced into Western Australia. As Labour supporters, we know how difficult it is to win seats in the Legislative Council, because the existing laws are outdated and the franchise for this House at present does not give a fair deal to the people. However, the people are becoming aware of that fact and of the conditions under which we have to vote for this Chamber.

As we obtain more members in this House and as we are able to say more through avenues of publicity, then we will win seats and see that democracy at least is introduced into this Chamber. I wonder whether the hon. member who has just spoken would, if he were sitting on this side of the House be of the same opinion as he is now? Over the years we have had Labour Governments in Western Australia, but they have never really been in power; that is what the people do not understand. Legislation is thrown out here willy-nilly without justification in most cases, but now there are more channels available to make clear just exactly what this oppression means to the working people of the State and also to the public at large.

The hon. Mr. Griffith made reference to the fact that he would be sorry to see this House become a rubber stamp of the other Chamber. Let me ask him this: What has it ever been when a Liberal Government has been in power in this State? Will he tell me that? Can he tell me that this House has not just been a rubber stamp to pass legislation brought forward by Liberal Governments? It is a very different story now. No matter how much merit is contained in the Bills now brought forward, they are thrown out and not even listened to, because they represent our way of thinking.

A Chamber that can throw out, as this one did the other day, a Bill to give just rights to the native people of the State is beyond all reason and beyond all democracy, and we should be ashamed; I am for one. The method of voting in the Senate was altered by the late Mr. Chifley so that it would be fairer and more equitable. That is why it was altered. The same conditions apply in Canberra as here, so there was nothing more we could do.

Mr. Chifley made the voting as fair and reasonable as he could within the ambit in which he had to work.

I have gone far afield since I became a member of the Legislative Council, and what led me to stand in the first place was not personal gain at all. The reason was that when I was trying to do work, in which I am interested, for underprivileged people in this State, I found always that the block in the road was the Legislative Council, and discovered that it was impossible for any legislation to be passed which would give a fair deal to the other side of public thought. I determined to come here in order to do what I could to alter this state of affairs. I will admit it is a long, hard road, because there is much against us, but the time will surely come when we will win the other three seats, and the people of Western Australia will learn, at long last, just what they have had to put up with for decades.

I would like to know what the expression of opinion will be then, because we are conditioned by the Press. The hon. Mr. Griffith referred to the Press. I will tell him that the Press in this State conditions people's minds, as it does throughout Australia. In fact, the Press of the world almost conditions people's minds when it is an anti-Labour Press. People believe what they read in the Press and do not know exactly what the position is. It does not give me any pleasure or pride to sit here and listen to a speech such as the one we have just heard. It was full of prejudice and meanness—something that cannot be expressed—and was the mailed fist in the velvet glove. The hon. member supported might against right; and surely no one here would agree with that kind of thing.

The Legislative Council vote in Western Australia is absolutely unfair. It has never been democratic and it is time it was altered. All I could do, if I spoke for an hour, would be to repeat my abhorrence of the method of voting which is set up in Western Australia, and draw attention to the unfair and unjust attitude of the Opposition and the conditions under which we have to work here. It takes nearly £120,000 per year to support this House, yet the people's money is wasted because legislation, emanating from a Government elected by a majority of people in this State, is thrown out year after year by the hon. members of this Chamber who are elected by about one-third of the voters. This is not something for the hon. members of the Opposition to be proud about; and I tell the hon. Mr. Griffith that I will always raise my voice here, as I do now, when the question of voting for the Legislative Council comes forward.

I hope the day is not far distant when the Opposition will be forced to give way on this point and we will at least have

a democratic system in Western Australia. Even if it were a bicameral system, we would see that we had Government of the people for the people and by the people, and not as it is now by a favoured few. We saw in the last election, when Country Party members had to go out and fight for the first time, just how much thinking is done about voting. The farmers were not very concerned, and they are the people who are supposed to have the property. Because they have a stake in the country, they are supposed to be the thinking people. This does not mean a thing, because the Country Party had just as much trouble getting their people to the poll, as did the Labour Party with the industrial vote. These are things which the people do not know.

The Hon. A. F. Griffith: You want to force them to know!

The Hon. R. F. HUTCHISON: The people are baulked at every turn. However, they are learning, but it has had to be done the hard way. I would like to know how the thinking vote turned out. When we look at the last election, we see how badly it failed, because it is not true that the people with a stake in the country are the thinking people. Might rests in the hands of a few, and it is a negation of democracy. With those remarks I support the Bill.

THE HON. J. M. A. CUNNINGHAM (South-East) [5.19]: Year by year, over the last few years, I have been amazed—I should not be—at the extravagant remarks put forward in this House in all seriousness by many speakers on both sides advocating one or other of their points of view.

The hon. member who has just resumed her seat stated that as long as she is a member of this House she will rise to her feet and advocate her point of view. That is part of the freedom that we want to retain. We may not agree with the hon. member, but we will always seek to respect and preserve her right to express her views. One thing that amazes me more than anything else is the burning zeal we hear expressed in this Chamber at the unfairness, dishonesty, hardship, and inequality that are attributed to the actions of this House—

The Hon. R. F. Hutchison: Not this House, but your party.

The Hon. J. M. A. CUNNINGHAM: —by virtue of the power vested in it. Yet we find that the same party, representing the same thought and the same instructions, has had a majority for about 40 years in New South Wales; and look at the democratic Upper House there!

The Hon. R. F. Hutchison: Which State are you talking about?

The Hon. J. M. A. CUNNINGHAM: In that State, where the Labour Party has an overwhelming majority in the Lower House—

The Hon. R. F. Hutchison: Which State?

The PRESIDENT: Order! Will the hon. member cease interjecting?

The Hon. J. M. A. CUNNINGHAM:—no election is held, when, from time to time a vacancy occurs in the Upper House, and no section of the public has any say as to who will fill the vacant seat. On the other hand, the members of Parliament, of both Houses, sitting together, nominate and elect a new member. The result is, I understand, that about 75 per cent. of the members of the Upper House in New South Wales are ex-union representatives and secretaries. If that is the interpretation of a democratic Upper House as brought about by a burning zeal for justice to the people in the Upper House—

The Hon. R. F. Hutchison: There is no Upper House in New South Wales.

The Hon. J. M. A. CUNNINGHAM: I agree that we should not call it an Upper House. It is not worth the name. On the other hand, we, in Western Australia, have an Upper House franchise which is one of the best in the British Commonwealth of Nations; and in other nations that have followed the pattern of the bicameral system in Australia. Our system is election by the people; admittedly, a comparatively small group of people.

The Hon. R. F. Hutchison: I am glad you admit that.

The Hon. J. M. A. CUNNINGHAM: It has been said from time to time that, so undemocratic is it, that we continually have only 40 to 60 per cent. polls. Until the freedom was forced on the people to have adult franchise for the Lower House, strangely enough the interest in the Lower House elections was no greater—there was regularly a 40 to 60 per cent. poll. Until, as I have said, one of our freedoms was forced on us by the typical type of freedom which the hon. member wishes to force on the people of the State, that was the position.

Another statement made was to the effect that on the other side of the House—the Opposition side—the growing numbers indicated an awareness on the part of the public to growing injustices. Just how that comes about, I do not know. I suggest that the growing numbers on the other side of the House is a definite indication of the fairness of the franchise, and that the Opposition is just waking up to the matter.

The Hon. R. F. Hutchison: Say the "Labour" side of the House.

The Hon. J. M. A. CUNNINGHAM: Probably "democratic socialists" would be a better term, because that is what they call themselves now. The fact remains,

however, that under the same franchise the numbers in the House are very nearly equal now. The numbers may go the other way, but I think that if they do it will be detrimental to the reasonable legislation of the State because, prior to four or five years ago, the number of Bills rejected by this Chamber amounted to roughly between 4 and 5 per cent. of those that we received over a period of 15 or 20 years; and during this period, moderate Labour Governments were in power.

The Hon. R. F. Hutchison: What do you mean by "moderate Labour Governments"?

The Hon. J. M. A. CUNNINGHAM: Moderate Labour Governments, differentiating them from the present Labour Government, remarkably enough. We rejected 4 or 5 per cent. of the Bills that came before us when the Liberal-Country Party Government had an overwhelming majority—a most undemocratic figure. I am sure the hon. member will contend.

In the last two or three years, the present Government—a socialistic Government—has regularly brought in, year after year, the same Bills that it has known and expected will be thrown out by the Upper House, thus increasing the percentage of Bills thrown out by this Chamber. The Government has done this to back up the story that this House throws out Bills. Another statement made was that the Legislative Council regularly throws out Bills without giving them any thought. I do not recall one measure that has been thrown out like that. Most Bills are at least given a second reading. The specific measure mentioned was the Natives (Status as Citizens) Bill; but hon. members spoke to it for a long time.

The Hon. R. F. Hutchison: Yes; with their tongue in their cheek.

The Hon. J. M. A. CUNNINGHAM: They gave their opinions and reasons. How can that be called a Bill which was thrown out without reason? It has been said that it is undesirable for this Chamber to have the same franchise as the Legislative Assembly. Surely that is reasonable and logical. Yet the question was asked: Why is it undesirable? It is almost a case of Potiphar's wife—if we will not do what the other side want us to do, they will blame us for it, anyway.

What is the use of having the membership of this House elected on the same franchise as that which applies to the Legislative Assembly? This Chamber would then be only a pale reflection of the other House; if the Labour Party were in office. When the L.C.L.-C.P. Government was in power in the other Chamber, strangely enough the same percentage of Bills was thrown out here as was thrown out when a Labour Government was in

office; despite the hon. member's imputation that this House automatically defeats all Bills coming from the other Chamber.

Many hon. members here derived a great deal of amusement from the mixed bags that resulted—as the division lists indicate—when the L.C.L.-C.P. Government was in office in the other Chamber. Very often the Minister found himself entirely supported by Opposition members. Subsequently, when the other party was in office, the same thing occurred, indicating the independent state of mind of hon. members here.

The Hon. E. M. Davies: Your policy was to broaden the Legislative Council franchise.

The Hon. J. M. A. CUNNINGHAM: It has been broadened from time to time. What the House objects to is being merely a copy of the other Chamber. That is all. It would then be just a rubber stamp. Today, because of the slight difference between the franchise of the Legislative Assembly and that of the Legislative Council, the constitution of this Chamber is such that hon. members are elected with a different viewpoint—a very different state of mind—and that is good. If this were not so, and if there were a franchise that would merely enable Labour members to be in power here, I am afraid the position in this House would not then be that Ministers in the present Government would be able to say, "I hoped the Legislative Council would dismiss the Bill."

The Hon. R. F. Hutchison: Who said that?

The Hon. J. M. A. CUNNINGHAM: The hon. Mr. Nulsen, quite recently.

The Hon. A. F. Griffith: That is right.

The Hon. J. M. A. CUNNINGHAM: If this Chamber had been a pale reflection of another House, it would not then have been able to do the very thing the Minister hoped it would do. The voluntary franchise alone is worth having. It is the one freedom we have not yet had forced on us; and I hope we never shall because if it is, we may find ourselves in the same position as other States have found themselves, where Labour Governments have been in office and an attempt has been made to kick out the Legislative Council. That has occurred in one State. I think that any hon. member who has made a study of the method adopted in that State—Queensland—could not be proud of what was done to get rid of the Legislative Council.

If this State is to progress under a democratic form of Government, let us keep what we have while there is some little freedom left. If there is any doubt—and there is a lot of doubt—that there would be an improvement if the Bill were

passed, let matters remain as they are at present. The State has reached its present stage only because the people have had some freedom of thought and choice as to who shall be in power in this Chamber.

The Hon. R. F. Hutchison: Don't be so ridiculous!

The Hon. J. M. A. CUNNINGHAM: If any hon. member in this Chamber says he or she is ashamed of being a member of it, I can only interpret that as being a reflection on his or her own work and attitude towards the people he or she represents. I am proud to represent the people of my district in this House. I oppose the Bill.

THE HON. L. C. DIVER (Central) [5.31]: This is a short Bill but it has intense meaning. It proposes to make voting for the Legislative Council compulsory, the same as it is for the Legislative Assembly. I was returned to this House by people who are on the roll under the existing franchise. I was given no mandate by those people—nor did I ask to be relieved of any responsibility—in regard to a Bill of this nature when it was presented to the House. I fully realise, as I think we must all realise, that if compulsory voting for the Legislative Council is agreed to, it will mean the death-knell of this Chamber; the Legislative Council will disappear.

The Hon. R. F. Hutchison: Would that be a hardship?

The Hon. L. C. DIVER: That is beside the point we are debating. If the day ever comes when this Chamber is abolished, whoever represents the people in another place will have second thoughts about proceeding with many of the pieces of legislation which are continually being presented to this Chamber.

The Hon. R. F. Hutchison: That is not true.

The PRESIDENT: Order! The hon. member must not impute motives to other people.

The Hon. L. C. DIVER: The hon. member must be excused, Mr. President, because she forgot to say all these things during her speech, and this is the only way she can make a point. I think that, with the passage of time, voting for the Legislative Council will become compulsory. But at one time this was a non-party House; now we are asked to address hon. members opposite as the Government members.

The Hon. R. F. Hutchison: Since your Leader took the extra salary.

The Hon. L. C. DIVER: I am one of the exceptions who in recent years has crossed the floor of the House in my endeavours to make good legislation, and

now the hon. member who has just interjected attacks the attitude I adopted. Are we to have no free Parliamentary system? Apparently that is not a system she wants.

The Hon. R. F. Hutchison: We should have a free parliamentary system but we do not have one today, and that is what I am objecting to.

The PRESIDENT: Order! I think the hon. Mr. Diver should forget about the interjections.

The Hon. L. C. DIVER: I have my doubts as to the truthfulness of the hon. Mrs. Hutchison's statements; but I have no doubt whatever that eventually we will have only one Chamber. However, I have no mandate to support such a Bill as this; and if ever the day comes when there is only one Chamber in this State, there will be many heart-burnings.

The Hon. R. F. Hutchison: Queensland seems to manage all right.

The Hon. L. C. DIVER: In the interim, I would like to see hon. members on the other side take part in more mixed votes than is the case now. Rarely does one see this House function as those who were responsible for it envisaged it would function. In this regard all the blame does not rest on one side. I know of other forces which are at work, and they would with equal determination, stereotype the votes that take place in here. There are other influences at work; and we must not forget that that does not help us in our approach, or in the making of good legislation.

With those few remarks, I think I have made it quite clear that I cannot support the Bill. But I hope that in future, when legislation which is not of great importance to the political parties in the State is introduced, there will be more mixed divisions and a greater diversity in the political line-up. I oppose the Bill.

THE HON. E. M. DAVIES (West) [5.35]: I have listened with interest to the speeches made on the Bill which proposes to alter the franchise of the Legislative Council; and after listening to those speeches I begin to wonder what some hon. members have in their minds. I heard references made to the fact that if adult franchise for this House were adopted, the abolition of this House would be a foregone conclusion.

The Hon. L. C. Diver: Of course it would.

The Hon. E. M. DAVIES: There is a frank admission, although not in so many words, that some hon. members in this House are not representing the political opinion of the majority of the people in this State.

The Hon. J. M. A. Cunningham: That is an assumption.

The Hon. E. M. DAVIES: What difference would there be if we had adult franchise for this House? Everybody, irrespective of political colour, would be able to record his vote and decide on who should represent him in this Chamber. But that does not mean to say that only one party would be elected to this House, as some hon. members have suggested. We have also been told that if we agree to adult franchise for this House, the Chamber will merely be a reflection of another place. To my way of thinking, that is a frank admission by hon. members opposite that they do not represent the majority of the people of the State. They also say that if the people were compelled to vote at Legislative Council elections there would be only one political party represented in this Chamber. I am rather surprised to hear that admission.

The Hon. A. F. Griffith: You can twist words like you can twist figures.

The Hon. E. M. DAVIES: I thought that if the people were compelled to vote at Legislative Council elections, hon. members here would express the political opinion of the majority of the people in the State; and to say that there would be only one party represented in this Chamber—

The Hon. L. C. Diver: I did not say that.

The Hon. E. M. DAVIES: I did not say that the hon. member said it.

The Hon. A. F. Griffith: Nobody said it.

The Hon. E. M. DAVIES: That is the inference one draws from the suggestions that have been made. Some hon. members suggest that that is what will happen. If that is what hon. members think, they are not representing the majority of the people in the State.

The Hon. A. F. Griffith: That is merely twisting words.

The Hon. E. M. DAVIES: That is the only inference one can draw.

The Hon. J. M. A. Cunningham: I did not imply that.

The Hon. E. M. DAVIES: That is the only inference one can draw from the remarks that have been made. If one traces the history of this Chamber, one finds that Western Australia was created as a Crown colony, and the Legislative Council was the first House in this State. At that time there were certain elected members and certain appointed members, mostly people in high positions in the Civil Service. Gradually the franchise for the House was altered, and it became a House of elected members, but still on a very restricted franchise. In 1947 the Opposition parties went on to the hustings at the general election and said, "We will broaden the Legislative Council franchise."

The Hon. J. M. A. Cunningham: It was broadened.

The Hon. E. M. DAVIES: It was broadened all right! A Bill passed another place, but what happened to it here? It was all right for hon. members opposite to go out and say, "We will bring down a Bill to broaden the franchise for the Legislative Council," because they knew what would happen to it here.

The Hon. J. M. A. Cunningham: Probably it was amended.

The Hon. E. M. DAVIES: Many hon. members who have spoken to this Bill have suggested that, if it is agreed to, this House will be abolished. If the people who are entitled to vote are compelled to vote or the franchise is altered to one of adult franchise, the representation in this Chamber will indicate the political opinion of the majority of the people in the State. There is nothing wrong with that.

Several hon. members mentioned matters which might not be relevant to the Bill, but I think I should also say something in reply to them. Some of them talked about the people being compelled to vote, and being compelled to do this, that and the other thing. One esteemed ex-member of this House, the late hon. Sir Hal Colebatch, introduced a private member's Bill to broaden the franchise of the Legislative Council. But at the elections following the introduction of that Bill he was defeated and someone else took his place.

The Hon. J. M. A. Cunningham: Did he stand?

The Hon. E. M. DAVIES: Of course he did and the hon. member knows he did. An hon. member in another place introduced a private member's Bill to control monopolies, but he was not returned to the Legislative Assembly at the next elections. He was opposed by a member of his own party and did not get endorsement.

The Hon. G. Bennetts: The screws were put on him.

The Hon. E. M. DAVIES: I will leave it to the hon. member's imagination to know what was put on him. He is not a member of Parliament any longer. When people make the statement that this is a non-party House, it is so much eye-wash. We all know that this House is elected on a party basis; and every hon. member in this House has been endorsed by one or other of the political parties.

The Hon. R. F. Hutchison: And the Opposition has a leader, too.

The Hon. E. M. DAVIES: The same system is adopted in every other House of Parliament. The House is governed by a majority decision, such decision being decided by the party which has the most members. It is not the policy of the Government that is adopted in this House, but the policy of the Opposition parties.

So, it is idle for hon. members to say that this is a non-party House, and that they are free to vote as they wish.

The Hon. A. F. Griffith: What happens to any of your party—

The Hon. E. M. DAVIES: What will happen if we have adult franchise? The people will certainly not lose their freedom. It is peculiar to me that in the Dominion of New Zealand one party—and it was not the Labour Party—abolished the second Chamber; and I do not know of any revolution which took place there as a result.

The Hon. G. Bennetts: The same thing happened in Queensland.

The Hon. E. M. DAVIES: The second Chamber was abolished in the State of Queensland some years ago, and no move has been made to reinstate it.

The Hon. A. F. Griffith: Will the hon. member tell us how it was abolished?

The Hon. E. M. DAVIES: There have been Governments of various political colours in office in that State.

The Hon. F. D. Willmott: Do you advocate the abolition of the Legislative Council?

The Hon. E. M. DAVIES: There has not been a great deal of progress in this State so far as the franchise for this House is concerned. But when we look at the House of Lords we find that a great deal of progress has been made. Apparently in England they realise that what was once thought to be a good institution—and probably rightly so, too—is not now truly representative of the people. So their ideas have broadened and there are now peeresses in the House of Lords. That was never known before.

The Hon. J. M. A. Cunningham: You're telling me!

The Hon. E. M. DAVIES: Also, measures which have passed through the House of Commons on three occasions can become law irrespective of whether the House of Lords agrees or not. That is in direct contrast to what happens in this State. On six or seven occasions we have had measures introduced in another place, brought down here, and thrown out by this Chamber. When we consider such happenings, and then listen to the statements made by hon. members in opposition to the Government, it is not surprising that we do not take much notice of their statements, because, in my opinion, they are not very sincere.

There is another aspect to which I would like to draw the attention of hon. members, and that is this talk about the socialistic policy of the present Government. I venture to suggest that no greater piece of socialistic legislation was ever introduced than that brought down by the McLarty-Watts Government when

the present Leader of the Opposition (the Hon. D. Brand) was Minister in charge of Electricity. By that legislation—which I contend was one of the greatest pieces of socialistic legislation—they took over generating plants not only at Fremantle but in country districts. In the case of the generating plant at Fremantle, the agreement still had another 16 years to run. But the local board was told that if it did not do as the Government wished, the agreement would be cancelled. That is a nice sort of threat to make to any local authority.

The Hon. J. M. A. Cunningham: There has been no black out since.

The Hon. E. M. DAVIES: The hon. members Government cannot claim any credit for that. It was the Wise Government that built the South Fremantle Power House. While I fully appreciate the views of hon. members, and their party's policies, they should not have one policy when they are in Government and another when they are in Opposition.

In spite of the fact that the McLarty-Watts Government introduced one of the greatest pieces of socialistic legislation, we still hear talk about Nasser's action with reference to the Suez Canal, and he has been condemned for this action. But a similar action was taken by the present Leader of the Opposition when he was Minister in charge of Electricity. He threatened to cancel an agreement which had 16 years to run if the Fremantle Municipal Electricity Board did not fall in with the views of the Government of the day. Hon. members should get away from this sort of thing and be genuine in their outlook and beliefs. We all know that the hon. Mr. Simpson, when he was Leader of the Opposition in this Chamber, asked this House to take over the Midland Railway Company. Is not that socialism? Yet we have people screaming out at the tops of their voices about the socialistic Hawke Government.

The Hon. J. M. A. Cunningham: Is it not socialistic?

The PRESIDENT: Order! The hon. member should be permitted to make his speech.

The Hon. E. M. DAVIES: I support the Bill for adult franchise, because it will give the people of the State, over the age of 21 years, the right to cast their vote for this Chamber. Some hon. members have tried to frighten the people by saying that if adult franchise were permitted this House would be represented by one party. I have grave doubts about the truth of such a statement.

The Hon. A. F. Griffith: You are the only one who said it.

The Hon. E. M. DAVIES: Hon. members know very well that it is not correct. I have not much more to add to this debate, because the matter has been fully

discussed already. But I felt I ought to express an opinion, and point out that I see no objection whatever to adult franchise being granted to people to enable them to vote for the representatives of this House. If the Bill is passed it will give the people of this State the right to express an opinion as to whom their representatives in this Chamber should be.

THE HON. E. M. HEENAN (North-East) [5.50]: I had expected that the Bill now before us would have received support from at least some of the members of the Opposition on this occasion; it would seem, however, that I have been wrong in that assumption, and I am gravely disappointed. The measure simply proposes to apply a similar franchise to the election of members to this Chamber, to that which prevails for the election of members to the Legislative Assembly. In a democratic country that proposition appears to me to be eminently correct. In my opinion, any other proposition would run contrary to the popular concept of democratic voting.

All these years we, as members of the Labour Party, have advocated the principle contained in the Bill, and we will vote for this measure en bloc, simply because it is a fundamental principle of the policy in which we believe. It is of no use heaping ridicule on measures of this nature by saying they are hardy annuals. This Bill raises a vital and important principle, and any hon. member who votes against it must, in my opinion, enunciate sounder arguments, and hold better views, than any I have heard expressed here this evening.

In all sincerity, I would say that I have not heard one logical or convincing argument against the principle contained in this Bill. The arguments to which I have listened are based on prejudice, and on fear of what might eventuate if every person in Western Australia over the age of 21 years were allowed to vote for the election of members to the Legislative Council of this State. Hon. members who have spoken against the Bill are afraid that if there is adult franchise it will mean, in the words of the hon. Mr. Diver, the death-knell of this Chamber.

The Hon. J. M. A. Cunningham: And of the safety of the people.

The Hon. E. M. HEENAN: I do not think the hon. Mr. Diver is entitled to—

The Hon. L. C. Diver: Say the obvious?

The Hon. E. M. HEENAN: —prophecy what is going to happen. I feel he is gravely astray, and I doubt very much whether the overall position in this Chamber would alter very greatly—for some years at any rate. I differ with the conclusion drawn by the hon. gentleman in

this regard. If most of the people in his electorate were to be granted this privilege he would still be re-elected.

The Hon. G. Bennetts: Of course he would!

The Hon. E. M. HEENAN: That would apply to the majority of hon. members in this Chamber. We must appreciate that the electorates for the Legislative Council are fundamentally different from those of the Legislative Assembly. This Chamber never can be—as the hon. Mr. Cunningham argued it would be—simply a replica of the Legislative Assembly. There is no foundation for that at all. The hon. Mr. Cunningham's province takes in at least four Legislative Assembly electorates. It extends from Boulder and takes in Kalgoorlie; it embraces the area from Norseman to Esperance; it continues from Coolgardie to Southern Cross; and goes further into some of the farming areas. The hon. member's province takes in the electorate of the hon. Mr. Nulsen; it also covers the hon. Mr. Moir's electorate, part of Mr. Evans's electorate and extends further to the hon. Mr. Kelly's electorate.

Accordingly, the same people who vote for members in the Legislative Assembly will not vote for members of the Legislative Council. Nor must we lose sight of the fact that, in the National Parliament at Canberra, there is an Upper House called the Senate—which, of course, is only another name. It is an Upper House. It reviews legislation, which must be passed by it, before it can become the law of this country. Surely the responsibilities, obligations and powers of hon. members and senators in the Commonwealth Parliament are more far-reaching than those of hon. members in the State of Western Australia! I do not for one moment wish to belittle our obligations and responsibilities, but I am sure members will appreciate that we do not deal with such far-reaching legislation as is dealt with by the Commonwealth Parliament.

If anyone likes to dispute that proposition by all means let him do so. But I do not think it is open to dispute. Yet is it wrong for the people of Australia to cast a vote for the senators? Would any Government in Australia attempt to take away from people over the age of 21 years the right to vote for the Senate? Yet we find that right is denied to the people of Western Australia; they are not permitted to vote for the Upper House of their own State Parliament. I would like to hear hon. members who are opposed to this measure debate that proposition. If their argument is legitimate in opposing this Bill they should come out in the open and advocate that the Senate election be on a restricted franchise.

We find the same thing applies in the U.S.A., where there is an Upper House—a Senate—elected on a popular vote of people over the age of 21 years. Those arguments are fundamentally sound, and

they justify the sincerity with which the members of the Government put forward this measure from time to time.

The Hon. G. C. MacKinnon: They are only sound if you prove they are better.

The Hon. E. M. HEENAN: We are here to debate this measure and to put forward all the constructive ideas we have. I am submitting some of mine. As the hon. Mr. Davies pointed out it was only a few years ago when the Liberal Party and the Country Party announced to the public of Western Australia, in a written platform and policy, that, if elected, they would widen the franchise of this House.

The Hon. C. H. Simpson: They did not mention adult franchise.

The Hon. E. M. HEENAN: They did not go as far as advocating adult franchise, but they made a broad statement that they would widen the franchise. Subsequently they passed in another place, a measure considerably widening the franchise. It was introduced in this House by the hon. Mr. Parker, but members of his own party opposed it.

The Hon. G. Bennetts: That was a gag!

The Hon. E. M. HEENAN: I think a stronger term should be applied to conduct of that nature. If hon. members, when considering matters placed before this House, disagree with a policy that is announced by their leader, it is only honest for them to say so; they should not sail under false colours, reserving to themselves the right to hoodwink the public. I do not think this term is unfair or unjustified.

The Hon. R. F. Hutchison: It is not strong enough.

The Hon. E. M. HEENAN: That is what happened, and the franchise for this House has not been widened one iota. I shall be interested if any hon. member can tell me that it has been widened since that time.

The Hon. A. F. Griffith: The hon. Mrs. Hutchison introduced a Bill which had the effect of widening the franchise.

The Hon. E. M. HEENAN: The astounding article read by the hon. Mr. Griffith, when he opposed the Bill, had little to do with the question. It was only read out to create prejudice. What an extraordinary outlook and state of mind the composer of that article must have!

The Hon. A. F. Griffith: He was like you, advocating for freedom to express one's opinion.

The Hon. E. M. HEENAN: The writer said that the people of Australia were not going to be stood over; in other words, the people of this country will not allow Parliament to tell them whether they are

to vote. Yet they will allow Parliament to tell them at what speed they may drive cars. They do not mind Parliament telling them that they have no freedom to libel people. People who compose articles and hold views of that type are the real friends and assistants of some of the subversive organisations which are trying to disparage the Governments of this and other countries. They derive their strength from articles like the one we heard. If democracy is to survive then the institutions set up under democracy will have to be reviewed from time to time, and brought up to date with modern trends and outlook. If we stand by and do nothing, democracy will not survive.

As I said in my opening remarks, the only possible arguments against this measure are based on prejudice, and on the fear that the Labour Party will sweep the polls, take over control and abolish this Chamber.

The Hon. R. F. Hutchison: Which it will do.

The Hon. E. M. HEENAN: If the majority of the community in Queensland and New Zealand—

The Hon. A. F. Griffith: Did you say the community?

The Hon. E. M. HEENAN: —desire to conduct their affairs with only one House of Parliament—

The Hon. A. F. Griffith: Tell us how the Legislative Council in Queensland was abolished. It was not done by the community.

The Hon. J. M. A. Cunningham: On a point of order; I think the hon. member is making a misleading statement to the House. He should know that a referendum was held.

The PRESIDENT: I do not think the hon. member should be permitted to make a speech to correct what the hon. Mr. Heenan has said.

The Hon. E. M. HEENAN: I do not want anyone to think I am making misleading statements. I am speaking somewhat extraneously when I refer to Queensland. All I know is that the Government or some party in Queensland abolished the Legislative Council. As far as I can ascertain, Queensland appears to be a prosperous State which is functioning successfully. There is a different political party in power now, but I have not read in the newspapers where that party is making a move to re-establish the Legislative Council. For that reason I am led to believe that nothing will happen in Queensland.

I am firmly of the opinion that the Legislative Council of this State has an honourable record and has done a good job in many ways.

The Hon. A. F. Griffith: Do you think it should be abolished?

The Hon. E. M. HEENAN: If the majority of the people of Western Australia decided to substitute some other formula in place of the Legislative Council, I would not oppose it. I belong to a political party which believes that the Upper House is redundant. Whether that view is right or wrong is beside the point. The people as a whole are the ones to decide the question. If they are denied the right to make a decision, an injustice is being done to them. If we are to maintain our claim to a democratic system of government, then all persons over 21 years of age should be encouraged to study and apply themselves to public questions, and should be permitted to vote. That is the way in which democracy works. I support the Bill, and I hope, that, at least on this occasion, it will go very close to being passed.

THE HON. A. R. JONES (Midland) [6.10]: I do not want to leave a doubt in anyone's mind as to why I do not support this measure. I have previously expressed my opinion for opposing it. I reiterate now that I am opposing it not for any party political reason at all.

I would advance one argument against the measure by pointing out the reason why the Parliament of this State was established. I shall illustrate why I believe we should accept the principle that was laid down at that time, and why we should not move away from it. I have not followed the history of Parliaments closely, but I do know that when the Legislative Assembly of this State was formed to join the Legislative Council as the Parliament of this State, the franchise was totally different. Electors entitled to be enrolled to vote for a candidate for this House had to possess some property qualification. That is only right. Unfortunately, this House is moving away from what it has established for—a House of review. I ask hon. members to cast their minds back and reflect on the number of occasions we have reviewed legislation from another place—

The Hon. R. F. Hutchison: That is camouflage.

The Hon. A. R. JONES: —and how we have made good legislation out of bad, irrespective of the party to which the Government belonged. If we refer to the records which are available to us, we find that hon. members here, sitting as members of the Opposition at present, but whose parties were in office, rejected Bill's which had passed another place, in just the same way as we are dealing with Bills which come from the Assembly today. I venture to suggest that it is expedient for the present Government to have this House reject some of the Bills it has introduced.

Apart from that I put forward for consideration by the hon. member who introduced the Bill in this House, and by the hon. Mrs. Hutchison—they are both property owners, and are so vitally interested in Western Australia that they have devoted their efforts to the furtherance of the State—this point: Should people, who have not a bit of consideration for Western Australia or for their obligations as citizens, be given the same voting rights as the hon. members, if the franchise for this House is widened, and everyone over 21 years of age—

The Hon. G. Bennetts: And returned servicemen if they are over 18 years of age.

The Hon. A. R. JONES: —is entitled to vote? I put it to those two hon. members that it is not logical to give a person, who does not consider Western Australia sufficiently by becoming a good citizen, the same right to vote.

The Hon. R. F. Hutchison: You are just camouflaging.

The Hon. A. R. JONES: I do not go in for that sort of thing at all. I am wholly sincere in what I am saying. I conscientiously believe that some form of franchise should be evolved so that only electors who are interested in the State can vote for the Legislative Council.

Sitting suspended from 6.15 to 7.30 p.m.

The Hon. A. R. JONES: I would like now to deal with my examples and then to make a comparison. For my examples I name the hon. Mr. Wise and the hon. Mrs. Hutchison, and I take—

The Hon. F. J. S. Wise: It is very nasty for hon. members to be named in this Chamber.

The Hon. A. R. JONES: I take for one example the hon. member who has just spoken and suggest that we might well consider his life, and his endeavours for the community of Western Australia; and for Australia as a whole for that matter. He has come from a good family who saw that he had the right start in life. He graduated from the university with a degree, and worked for the Department of Agriculture as an adviser, in which capacity he served many parts of the State. He was later elected to the Legislative Assembly where he served as a private member, as a Minister, and then as Premier of the State. He then served in another capacity in the Northern Territory—as Administrator. After leaving that position he came back to Western Australia and was elected to his present office as member for the North Province. During this time he has acquired property and at the moment is developing land which was considered practically useless and has developed it to the stage where he has a farm of some capacity which produces well.

I suggest that a person who will do that has an interest in Australia and a stake in the country. If I might take the other example, the hon. Mrs. Hutchison, although I do not know a great deal of her life before she came here, she has raised a family, taken her place in the life of Western Australia, and is a good citizen. She has worked for principles which she holds and, generally speaking, has come into this Chamber to uphold those principles.

The Hon. G. Bennetts: And has given some valuable information.

The Hon. A. R. JONES: She has. She owns property and is generally considered to be a good citizen. For my comparison, I am going to instance the people who, perhaps through no fault of their own, have fallen by the wayside. They have taken no interest in the life of their fellow citizen and, in some cases, are not even good citizens themselves. They own nothing and depend upon the State when they are sick, and in the main—although not all, because some people are unfortunate—these people are irresponsible and will not accept responsibility even to the extent of being decent citizens. They do not strive to own a stake in Western Australia. I take those people as a comparison. If hon. members, and in particular, the two hon. members whom I have quoted, can in all conscientiousness tell me through you, Mr. President, that they feel the “no-hoper” type should have as much say as they, as to who should represent them in this House of review, I would not only be surprised but amazed. I would feel that we should protect them against themselves, and for that reason I uphold the principle on which this place was established; and that is to protect the person who is prepared to be a good citizen and own a stake in the country. I feel this House has to do just that.

We should in no circumstances neglect to show preference, at least to the person of the calibre and type I have named. After all is said and done, we do not own anything in this land. We may have a property franchise and we may own property as far as being in possession of the title deed is concerned. But, considering that our life span is very short compared with the millions of years which the world has been in existence and the millions of years it will be in existence in the future, we hold the title deed for land for a very short time. It may be passed on to someone in the family but ultimately it goes out of the family. But, provided the land is properly cared for, the State continues to derive benefit from it in the way of taxes of various kinds. Therefore I feel that, though we have a property franchise, we own only a title deed, and it is up to us to protect the persons owning such title deeds and ensure that a sufficient interest is taken in our community.

For the reasons I have quoted I most strongly oppose this measure, and I feel it will take much better argument than has been put forward to change my mind. No doubt, the hon. Mr. Wise will reply, and when he does I would like him at least to make mention, of not necessarily the challenge, but the argument I have put to this House and to him.

THE HON. G. C. MacKINNON (South-West) [7.38]: If a change is to be made, the prime need is for a change for the better, and for all the talk we have heard—and it seems to have ranged far and wide and touched on everything except the Bill—there has been no proof forthcoming up to date that any better Government will be ours, as a result of the change that is foreshadowed.

The Hon. E. M. Heenan: There couldn't be a better Government!

The Hon. G. C. MacKINNON: We hear talk of all sorts of things, but as yet, nobody has made any effort to show in what way any better Government would result.

Another prime necessity in a debate of this kind, is for an endeavour to be made to define some of the terms so glibly thrown around. The hon. Mr. Heenan spoke about a "democratic method of government," and the expression "House of review" has been used. But nobody seems to be quite sure as to what these terms mean. Nor has anyone endeavoured to explain them. The hon. Mr. Heenan knows as well as any of us that about the only democratic Government was way back in Greece, and we are long past the democratic Government when it is considered in the terms in which he spoke; and that is when we all have a voice in the affairs of the State. He knows as well as I that we are operating under a representative form of Government, and it is probably a much more accurate term of description than to call it democratic. It is a glib term which means a totally different thing when expressed by Mr. Kruschew from what it does when expressed by the hon. Mr. Heenan, and, perhaps, when expressed by myself.

The necessity arises in a discussion of this type to at least understand what we are talking about; and in this State and age it is impossible to get all the people together to express their views as to what will happen in regard to any particular law and what particular laws will be brought forward.

The Hon. A. F. Griffith: They would not always have notice taken of them anyway.

The Hon. G. C. MacKINNON: Quite so. Therefore it would be much better to say we operate under a representative form of government. Historically there is a great deal to support the present system. If study is made of the bicameral system

of voting it will be found that its death-warrant would be signed the moment both Houses were put on the same franchise. The hon. Mrs. Hutchison spoke about the Senate. We are fully aware of the grave difficulties facing this country in evolving a satisfactory method of electing the Senate. The method used before was unsatisfactory and the method today is unsatisfactory but both methods are infinitely more unsatisfactory than the method operating in Western Australia for the Legislative Council.

The Hon. F. J. S. Wise: The present one in Victoria is apparently unsatisfactory. A change has been made to this one.

The Hon. G. C. MacKINNON: We will go on to that particular point in a minute. It has not operated very long there. None of the speakers has shown in what way this particular system has worked to the detriment of Western Australia. They have submitted a proposition that it might be advisable to have a limit on the number of times this House could refuse a particular piece of legislation. That has nothing whatever to do with the case under review, but is an entirely different argument and is debatable on quite different grounds. They have brought forward no case to prove that the franchise as used for this Legislative Council is worse than the franchise used for the Senate, or that this House has worked in such a way that good government and legislation have been hampered in this State and that such disadvantages are directly attributable to the franchise.

The hon. Mr. Davies went to great lengths to state that the Liberal Government introduced a socialist measure. If he had gone a little further he would have found himself in marked contrast to the hon. Mrs. Hutchison, and he would have proved without doubt that practically every worthwhile social advance in the Western hemisphere is attributable to the right wing of politics. But he stopped short of that. Had he started in Wilberforce's day and followed it through, that would have been the result of his findings, however much it might have upset the hon. Mrs. Hutchison, who claims that the Labour Party is the only party for social progress. Instead, he made reference to the establishment of the State Electricity Commission, which he did not say had done a bad job and neither did he say that it should not have been established. It is one of those things that time will prove, in all probability, is better handled in the way in which it is being handled; but of course there are limits to what can be done in that way, and I maintain that we have a better idea of where the limit lies than have some political parties.

The word "review" has been used ad infinitum and I do not know what meaning the hon. members who used it gave that

word. I imagine that "view" means to look at or see something and that "re" means to do it again, and that "review" means to have another look. If we do not have another look, in this Chamber, I would like to know what we do. We do have another look, whether from the point of view of the Liberal Party, the Country Party, the Labour Party or the D.L.P.—

The Hon. H. C. Strickland: It is only a glimpse sometimes.

The Hon. G. C. MacKINNON: We review legislation and that is what this House is for—

The Hon. F. R. H. Lavery: Don't talk such piffle.

The Hon. G. C. MacKINNON: After all the piffle that has been put forward today, surely hon. members can listen to a little more of it. Today we have had to listen to history being interpreted in a way that would make a school child writhe. We were told that the people of Queensland voted for the Upper House to be abolished. The fact was that Theodore voted sufficient members into the Legislative Council in that State to vote it out, but they would not play ball. They went back on their leader, and so he held a referendum and the people of Queensland told him that they wanted to retain the Legislative Council—

The Hon. A. F. Griffith: That was not what the hon. Mr. Heenan thought about it.

The Hon. G. C. MacKINNON: They voted to retain it, and so Theodore put into the Legislative Council of Queensland, more and more people who would do what they were told, and eventually they voted it out of existence.

The Hon. F. R. H. Lavery: That is not true.

The Hon. G. C. MacKINNON: It is true. At the referendum the people of Queensland voted against abolishing the Council. If hon. members follow history through, they will recall that the common people have rarely been wrong. Against overwhelming odds and terrific opposition they have won through, in a few centuries, from a position of virtual serfdom to one of authority and freedom. When the matter was put to the test in Queensland, the common people voted for the retention of the Legislative Council and the bicameral system, because ingrained into the people of this country is a good deal of shrewd political commonsense. They knew that the system was a good one, and that the bicameral system was founded on good political sense. Listening to the debate on this measure one would think that groups of people about the streets were railing against the franchise of the Legislative Council—but are they?

Several members interjected.

The PRESIDENT: The hon. member will resume his seat. I draw attention of hon. members to Standing Order No. 413 which states—

If any member (a) persistently and wilfully obstructs the business of the Council; (b) is guilty of disorderly conduct; the President may report to the Council that such member has committed an offence.

I therefore ask hon. members to observe Standing Orders. The hon. member may proceed.

The Hon. G. C. MacKINNON: Thank you, Mr. President. I was saying that, in view of what has been said during this debate, we would expect to find on every street corner groups of people railing against the present franchise of this House, whereas all hon. members know that does not happen. The people are not completely worked up about this matter and they probably feel that the present situation is a just one. The hon. Mr. Davies implied that people had the idea that if this Bill were agreed to there would be a complete change in the composition of the House, but we have only to examine the position in Victoria in order to realise that that is not the case. I know—and I know a number of other hon. members feel the same way—that the hon. Mr. Davies' implication that our opposition to the Bill is based on fear is groundless. We have not the fear that the hon. Mr. Davies seems to think we have, and no such fear has shown itself in Victoria.

I think we can rightly claim, on examining history and on studying the make-up of this House and the Government and legislature of this State, as well as good Government in other parts of the world, that we are justified in retaining the present franchise for this Chamber. Until such time as a far better case can be put forward, than has hitherto been made out, to prove that our legislation would be improved by such a change, I see no reason why we should alter our view in this regard.

THE HON. G. BENNETTS (South-East) [7.53]: I rise to support the Bill and I am surprised that hon. members representing country provinces oppose it, because, with the scattered population in country areas, they are more in need of it than are other hon. members in this House. Even if Labour was fortunate enough to be in power in this State, I do not think it would abolish this Chamber but that it would, in all likelihood, carry it on—

The Hon. A. F. Griffith: Watch out for Mr. Chamberlain when you make statements like that, or you will find yourself on the mat.

The Hon. G. BENNETTS: I am surprised at hon. members saying that this House is fairly elected, when we are put here by about only one-third of the people of the State, whereas another place represents practically all of the people in Western Australia. Before an election one has to spend months putting people on the roll, and why should that be necessary? Let us have compulsory enrolment, and that would do away with all that unnecessary work. With compulsory enrolment the proportion of the people voting for each party represented in this House would be about the same. Hundreds of people tell me that we should have compulsory voting, although half the people today do not know that this House exists.

In South Australia the soldier has the right to vote, but only the other day the father of an 18-year old youth was very hostile when he told me that his son, who is a soldier, had been caught on hotel premises. He felt that if the boy, at 18 years of age, was fit to fight for his country, he should have the right to drink and the right to vote; and I am inclined to agree with him.

THE HON. F. J. S. WISE (North—in reply) [7.55]: I appreciate very much the views of the hon. members who have spoken to the Bill. It is remarkable, however, how few of those hon. members were able to concentrate their attention on the Bill itself; and it was only through your generosity, Mr. President, that they were enabled to deal with many other matters—which will give me the opportunity also, I take it, of replying to a number of questions raised, even though they may not be associated with the Bill itself.

It is difficult to find any record of where a Bill of this kind has been considered on its merits. The hon. Mr. Griffith, the first speaker in opposition to the Bill, made, for him, heavy weather of an attempt to belittle what I had said when introducing the Bill, and to find something of value in criticism of the substance of the Bill. Obviously, by the very illustrations he used, the hon. Mr. Griffith was hard-pressed to find arguments against the measure, and, as one speaker said, his attitude and argument appeared to be prompted by prejudice and fear.

The hon. Mr. Griffith said that the Bill was not introduced for the good of Western Australia, but for the good of the Labour Party. It is easy to make a statement of that sort, but all other Governments—including those of the party of which the hon. Mr. Griffith is a member—have introduced legislation to which our party is wholly opposed. However, in fairness we must say that although it may reek of politics, it is a state of affairs which the hon. members concerned believe in, as we must give them credit for believing in the policy which they advance as representing the views of their parties.

In his studious avoidance of the principles of the Bill the hon. Mr. Griffith introduced a great deal of contention, in quotations from newspapers, which I fear lacked substance in argument or criticism of the Bill—

The Hon. A. F. Griffith: I would not expect you to agree.

The Hon. F. J. S. WISE: One unfortunate reference—unfortunate for the hon. member himself—was made by the hon. Mr. Cunningham. He is possessed of a very short memory or else was anxious to give this House credit not due to it and to give himself an attitude which he does not always convey by his actions, when he stated that this House was always pleased to deal with matters on their merits, and said he could not recall a case of Bills being—as is said at times by some—thrown out without consideration, or, indeed, being thrown out on the first reading. The hon. Mr. Cunningham said that that was something which this House did not indulge in. For the hon. member's information and to refresh his memory—since I have been in this House for only a short time—I would draw his attention to two similar Bills which were defeated before being introduced for their first reading. This occurred in 1956, when two Bills similar to this were defeated on the formal motion for leave to introduce before they were even read a first time; and the hon. Mr. Cunningham was one of those who voted with the noes to prevent their being read a first time. So it requires much greater thought to introduce that type of argument into this Chamber.

The Hon. G. C. Mackinnon: Those Bills were introduced in the dying hours of the session.

The Hon. F. J. S. WISE: They were not. To give illustration to my point, an hon. private member in this Chamber who sought to introduce a Bill to affect the Constitution Acts Amendment Act, was refused leave to introduce it. It may be passing strange, but nevertheless it is true, that that Bill was one which sought to amend the Constitution Acts Amendment Act.

The Hon. J. M. A. Cunningham: But a similar Bill.

The Hon. F. J. S. WISE: No.

The Hon. J. M. A. Cunningham: But it was a similar Bill.

The Hon. F. J. S. WISE: No. The hon. Dr. Hislop was in the Chamber at the time I am speaking of, and this House refused a motion for leave to introduce a Bill. Therefore, it is of no use any hon. member introducing that type of argument. The hon. Mr. MacKinnon said that the House reviews all legislation and it is piffle to say otherwise. I draw his attention to the illustrations I have cited to show what sort of piffle it is.

It is entirely wrong for this Chamber to show absolute antipathy—in accordance with the illustrations I have given—to Bills that have anything to do with an amendment to the Electoral Act or to the Constitution Acts Amendment Act, because they may to some extent affect the rights and privileges of hon. members rather than the constitution of this Chamber.

The Hon. J. M. A. Cunningham: Hardly a mass of evidence.

The Hon. F. J. S. WISE: When hon. members speak so glibly—

The Hon. J. M. A. Cunningham: I was speaking of something the hon. member said in my recollection.

The Hon. F. J. S. WISE: I have not had time to look back over statements which I cannot recall. That statement was made in 1956. I thought it was unfortunate when I discovered that the hon. Mr. Diver, whom I thought was building up a good speech on this Bill, was speaking on another Bill entirely. I merely repeat that the Labour Party believes that this legislation is an important plank in its policy. It is a fundamental principle in the policy of the Labour Party. It is not necessary for me to adduce any new argument to reply to the hon. Mr. Jones.

Although I believe the hon. member, when he said he did not oppose the measure for party political reasons, he attempted to use illustrations of persons who had endeavoured in this life to make some contribution to the welfare of their fellow human beings; to show that such people may be entitled to have a vote for the Legislative Council. But he said that those whom he called "no-hopers" had no such entitlement. I think that is an entirely erroneous opinion. The hon. Mr. MacKinnon gave a complete answer to that when, to use his exact words, he said, "Ordinary common people have rarely been wrong in history."

Does the hon. Mr. Jones believe that a man who has worked hard all his life and given much to this community in a humble fashion—humble in so far as material things are concerned—has not a stake in this country and is not entitled to a voice in the Parliament and the Government of this country? I suggest that the hon. member is wrong in thinking along those lines.

I do not wish to deviate from the principles contained in the Bill, but I point out that it is one which has for its basis the policy of the Labour Party. It seeks to give to all adults the right to vote for the Legislative Council in the same way as they can vote for the Legislative Assembly.

The Hon. G. Bennetts: It is only right that the woman slaving over the hot stove in the kitchen should be entitled to a vote for this House.

The Hon. F. J. S. WISE: It is only right that all people who are not slaves should be entitled to vote for this House; that all free people should be entitled to vote; that all adult citizens should have the right to vote. So, as I forecasted when introducing the Bill, I hope that ultimately the measure, or one similar to it, will pass through this Chamber and that we will have on our statute book legislation the same as that which obtains now in Victoria. I trust that there will be increasing support for the Bill, even though it appears, from the speeches made this evening, that it is more than doubtful that it will pass on this occasion.

The PRESIDENT: In order that the question may be carried, it is necessary that there shall be an absolute and constitutional majority of hon. members present and voting in favour of it. I shall therefore ring the bells to divide the House.

Division taken with the following result:—

Ayes—12	
Hon. G. Bennetts	Hon. G. E. Jeffery
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. W. R. Hall	Hon. W. F. Willesee
Hon. E. M. Keenan	Hon. F. J. S. Wise
Hon. R. F. Hutchison	Hon. F. R. H. Lavery (Teller.)
Noes—15	
Hon. C. R. Abbey	Hon. R. C. Mattiske
Hon. J. Cunningham	Hon. H. L. Roche
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. A. F. Griffith	Hon. J. M. Thomson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	Hon. F. D. Willmott
Hon. A. L. Loton	Hon. J. Murray
Hon. G. C. MacKinnon	(Teller.)

Pair.	
Aye.	No.
Hon. G. Fraser	Hon. L. A. Logan

Majority against—3.

Question thus negatived.

Bill defeated.

LICENSING ACT AMENDMENT BILL.

First Reading.

Received from the Assembly and, on motion by the Hon. A. F. Griffith, read a first time.

CONSTITUTION ACTS AMENDMENT BILL (No. 2).

Second Reading—Defeated.

Debate resumed from the 23rd October.

THE HON. A. F. GRIFFITH (Suburban) [8.12]: After the decision which has been given by the House on a previous Bill, there does not seem to be any great

purpose in continuing to debate this measure, because one is complementary to the other. However, no doubt the Minister for Railways and the hon. member who introduced the Bill would like to have a decision on it. Therefore, I propose to say a few brief words in regard to the measure.

The Bill is only a short one and proposes to repeal Sections 15, 16 and 17 of the Act. I can understand the Government, in conformity with Labour Party policy, seeking to repeal Sections 15 and 16, but it is beyond my comprehension why it should seek to repeal Section 17, and for the information of hon. members I will read it. It is as follows:—

Every person nevertheless shall be disqualified from being registered as an elector who—

- (1) is of unsound mind or in the receipt of relief from Government or from any charitable institution; or
- (2) has been attainted or convicted of treason, felony, or any infamous offence in any part of Her Majesty's dominions, and has not served the sentence for the same or has not received a free pardon for such offence.

I can envisage, therefore, the desire to permit those people who are in Fremantle Gaol to vote if they were able to attend a polling booth.

The Hon. E. M. Heenan: What you could do would be to vote against the provision to repeal Section 17.

The Hon. A. F. GRIFFITH: That may be so, but at the moment it is my prerogative to point out a provision which is still in the Bill.

The Hon. E. M. Heenan: You desire then, that people of unsound mind should have a vote?

The Hon. A. F. GRIFFITH: I think that the hon. Mr. Heenan should assist the House by explaining why the Government seeks to make it possible for those who are in Fremantle Gaol to have a vote or to make it possible for those who have committed treason or some infamous crime to have a vote whilst they are spending their days as guests of Her Majesty in Fremantle Gaol.

The Hon. E. M. Heenan: It would be a simple matter to delete it.

The Hon. A. F. GRIFFITH: I cannot understand why that particular section is included in the Bill. This Bill is complementary to another one, and for the reasons expounded by me previously—some of which were made on that other Bill and apply to this one—I do not propose to waste any more time of the

House. I oppose the second reading, hoping it will not be held against me at a later date, nor said of me that I did not give this Bill much debate, argument or hearing.

THE HON. H. C. STRICKLAND (Minister for Railways—North) [8.16]: The hon. member is again wading neck-deep in the water. He knows very well why the Government hopes to delete Section 17 from the Constitution Act.

The Hon. A. F. Griffith: You tell me.

The Hon. H. C. STRICKLAND: Because it is Section 18 of the Electoral Act. We do not need two Acts covering the one provision, surely to goodness! Section 18 of the Electoral Act embodies every word which the hon. member read out, as well as some others which were put in by the previous Liberal Government to preclude aborigines from voting. These restrictive clauses were inserted into the Electoral Act by a Liberal Government—a broad-minded party! The "Liberal" tag is a good selling trademark. If one has a look at the dictionary one will find that "liberal" means "broadminded" and "openminded," particularly in politics! But what happens in regard to this selling tag? We have been told tonight by various hon. members what does happen. They sell something to the electors and then, when they are elected, refuse to carry out their liberalism. We say that is the reason why that particular word is used; but it is not practised by the party.

The hon. Mr. Griffith knows particularly well that the section we desire to delete is also a section of the Electoral Act. He has been on many occasions a candidate for elections and has read the Electoral Act from one end to the other. In fact, in another place, he helped to insert the provisions of Section 18 into the Electoral Act. Therefore, I cannot see why he makes play of the reason for the Government wanting to delete Section 17 from the Constitution Act.

The reason is to make it easier for people to understand our laws. Electors only look at the Electoral Act. They do not want to look at the Constitution Act. It is automatic that they will look at the Electoral Act and not the Constitution Act. The Constitution Act was quite all right when we had only one Chamber, but it is a different proposition now that we have the two. I am hoping that hon. members will go part of the Government's way and support this measure.

Question put.

The Hon. A. F. Griffith: May I glean some information from you, Sir? I think this is a constitutional measure and the House should be divided in the normal way.

THE PRESIDENT: As this is an amendment to the Constitution Act, it requires an absolute majority.

Division taken with the following result:—

Ayes—12

Hon. G. Bennetts	Hon. G. E. Jeffery
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. W. R. Hall	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. R. F. Hutchison	Hon. F. R. H. Lavery (Teller.)

Noes—14

Hon. C. R. Abbey	Hon. R. C. Mattiske
Hon. J. Cunningham	Hon. H. L. Roche
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. A. F. Griffith	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. A. L. Lotton	Hon. P. D. Willmott
Hon. G. C. MacKinnon	Hon. J. Murray (Teller.)

Pair.

No.

Hon. G. Fraser	Hon. L. A. Logan
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Majority against—2.

Question thus negatived.

Bill defeated.

TRAFFIC ACT AMENDMENT BILL.

Second Reading.

Debate resumed from the 23rd October.

THE HON. L. C. DIVER (Central—in reply) [8.23]: I thank those hon. members who addressed themselves to this Bill for the contributions they made, especially the hon. Mr. Watson, who I thought was most constructive. It was rather unfortunate that the hon. Mr. Heenan had to speak when he did because I think he was, at the time, smarting under some injustice because of the penal clauses of the City of Perth parking regulations, which I consider are extremely harsh.

The Hon. J. Murray: How true.

The Hon. L. C. DIVER: He has my sympathy, but at the same time I did not relish my contribution to the House in the form of this Bill being the recipient of his feelings on that occasion. I feel sure that his comments were, to a large extent, due to his experience with the regulations I have just mentioned. Therefore, I do not propose to take all he said very seriously.

In regard to the contribution by the Minister, I point out that his notes are prepared for him. It is a sorry state of affairs when a private member introduces a Bill which is criticised in the terms contained in the Minister's notes. The hon. Mr. Watson made a helpful contribution because he realised the Bill had some merit. Even though the Minister's adviser admitted that the Bill had merit, he was highly critical of the manner in which the approach to overcome the problem confronting us had been made.

For instance, in regard to damages for trespass, he said that there is provision in Section 13 of the cattle trespass Act for action to be taken by landowners. We realise that. It was for the purpose of

simplifying that trespass, as we find it today, that this Bill had its genesis. It was to simplify the establishment of a trespass in the form of a motor vehicle being left on private property.

The Minister's informant mentioned that, in 1957, Section 60 of the Traffic Act was amended. What relation has that to the Bill before the House? If one looks at the Traffic Act it will be found that, according to the marginal note, Section 60 deals with the unauthorised use of vehicles. In that respect, the Bill is different in so far as it wants to authorise the removal of a vehicle from trespass, if necessary. I think that answers that point which the Minister brought up. Then, according to the Minister's notes, he said it was intended to make it an offence and provide a penalty for persons who, without authority, park a vehicle on privately-owned land. He went on to say that, in this respect, there was merit in the proposal.

That is the kernel of the whole Bill. That is the idea. That is where we are on common ground. As I said earlier, it is hard for a private member who goes to a draftsman at the Crown Law office for guidance—he tells the draftsman what he requires and the draftsman expresses his wishes in legal phraseology in order that the hon. member may go on with the Bill—to discover that the Minister's notes were, perhaps, prepared in the same building. One would think there would be some co-operation. Evidently no provision is made for that co-operation; and I would like to take this opportunity to suggest to the Minister and the Government that it is high time such a condition prevailed.

We are on common ground; that is we want to overcome the problem of private persons without authority, parking their vehicles on privately owned land. The critic points out that the proposed new section has been numbered 57A. He cannot understand why it has been placed in this position in the Act, and says it has little relationship to Section 57 which refers to damage by traffic to public roads. That is true; but if hon. members look at the Traffic Act they will find that several of these sections are, for want of a better word, "random" sections. Section 58 deals with the effect of lights on traffic. I could read other sections but I do not think it is necessary. The point made is, I consider, vexatious and immaterial.

In order to meet the requirements of the Minister's advisers, I have made arrangements with the hon. Mr. Roche to move, at the appropriate time, for the deletion of certain words with a view to inserting others. When the Bill is in Committee, amendments will be moved to bring the Bill into due form. I have an amendment on the notice paper which, I understand, the hon. Mr. Watson will seek to

further amend. I think that by the time the Committee stage is completed, the Bill will be in a form acceptable to all parties.

Question put and passed.

Bill read a second time.

In Committee.

The Hon. E. M. Davies in the Chair; the Hon. L. C. Diver in charge of the Bill.

Clause 1—put and passed.

Clause 2—Section 57A added:

The Hon. H. L. ROCHE: I move an amendment—

Page 2, lines 5 to 7—Delete the words "situate within the city area shall be liable in damages to the person in possession of such land in" with a view to inserting the following words:—

"shall on complaint made to a Justice of the Peace by the person in possession of the land, forfeit and pay to such latter person by reason of such trespass, whether any damage shall be proved to have been committed or not."

This amendment has been circulated amongst hon. members.

Amendment put and passed.

The Hon. F. R. H. LAVERY: For the first offence, the minimum penalty is £2 and the maximum penalty £5. I cannot vote for this provision when, throughout the Traffic Act, the minimum penalty is £1. I see no reason why it should be raised to £2. The motorist has plenty of pressure put upon him today. Why is the minimum to be £2?

The Hon. L. C. DIVER: This is distinctly a matter of trespass, and does not come under the simple heading of over-staying at a parking meter. This is designed to deal with the motorist who poaches on private property. The motorist can park where it will cost him £1 instead of on private property where the penalty is £2. As the wording after line 17, page 2, is now superfluous, I move an amendment—

Page 2—Delete proposed new Subsections (3) and (4).

The Hon. H. K. WATSON: The object, as the Minister suggested, is to make the Bill apply to the State and not merely to the city area.

Amendment put and passed.

The Hon. L. C. DIVER: I move an amendment—

Page 2—Add after proposed new Subsection (2) the following to stand as Subsections (3), (4) and (5):—

(3) Where a motor vehicle is left standing on any land to which this section applies, then

during any temporary obstruction or danger to traffic, or in case of emergency, a member of the police force or the person in possession of the land, or an employee of such person, may—

(a) direct the driver or person in charge of the vehicle so standing to remove the vehicle from the place where it is standing; and

(b) where no person appears to be in immediate charge of the vehicle so standing, himself remove the vehicle from the place where it is standing.

(4) A person who disobeys or fails to comply with a direction made pursuant to this section commits an offence.

Penalty: A fine of ten pounds.

(5) The driver or person in charge of a motor vehicle shall, upon being required by a member of the police force or the person in possession of the land, or an employee of such person, who alleges that the driver or person in charge of the vehicle has committed a trespass or an offence under or against this section, furnish the member or other person, as the case may be, with his full name and address.

Penalty: A fine of two pounds.

The Hon. H. C. STRICKLAND: I am wondering how this will work when an employee is concerned. It is very broad and could cause a lot of trouble. Will this conflict with other portions of the Act in cases where somebody sits in a motor vehicle to drive it away? I think he might be liable for prosecution for stealing.

The Hon. H. K. WATSON: I think the insertion of the words "an employee" is really necessary in case the owner of the land happens to be a company.

The Hon. G. C. MacKINNON: It does not give an employee much protection. In proving that there has been an obstruction, or a danger to traffic, there will be many sticky law cases.

The Hon. H. K. WATSON: I move—

That the amendment be amended by striking out the words "during any temporary obstruction or danger to traffic, or in the case of emergency" in lines 3, 4 and 5.

This would make the clause quite general and would remove the hon. Mr. MacKinnon's objection.

The Hon. A. L. LOTON: I would like to know to where the motor vehicle will be removed. That must have some bearing on the question. Is the vehicle to be

removed to a police yard, just pushed along the street, or driven to Kalgoorlie? I think the term "shall be removed" is too all-embracing.

The Hon. H. C. STRICKLAND: I would like some further explanation on this matter. I would like to know from the hon. Mr. Diver what would be the reaction of some farmers in his area if the employee concerned happened to be a native and he just hopped in a truck and drove it away.

The Hon. L. C. Diver: I think that matter is covered by Section 60 of the Traffic Act.

The Hon. H. C. STRICKLAND: I am wondering whether it will cause a lot of trouble, because there is not much sympathy shown to the natives in the back country, apparently. If a native says, "Get that vehicle out of here. I work for Jim Jones the farmer," what will be the reaction?

The Hon. L. C. DIVER: It was at the Minister's request that the Bill was altered to apply to the whole of the State. The wording is exactly the same as that which appears in the regulations made under the City of Perth Parking Facilities Act. The Minister gave us an illustration of the application of this legislation in the country areas. We could stop here all night quoting similar cases. I can see the Minister's point, but I think his objections are more superficial than real.

The Hon. H. C. Strickland: You hope they are.

The Hon. L. C. DIVER: We cannot provide for the very odd cases. In any event, the matter has to be proved before a justice.

The Hon. G. C. MacKINNON: The hon. Mr. Loton's point has a definite bearing on the matter, because the Bill does not say to where the vehicle shall be taken.

The Hon. H. K. WATSON: I have a further amendment on the notice paper to provide that the vehicle can be removed from the land, and I propose to alter that amendment slightly to make it read that the vehicle can be removed from trespass to the nearest police station. That is what the Traffic Act now provides in respect to certain cases.

The Hon. G. C. MacKinnon: Your amendment on the notice paper does not state that.

The Hon. H. K. WATSON: No, but I intend to alter it before I move it.

The Hon. R. C. MATTISKE: I am not happy about the proposed new subsections. One aspect which I find unpalatable is that in the new Subsection (1) we have provided for a penalty of not less than £2 or more than £5; and yet, under the

amendment now before us, the fine is £10. That is a rather substantial penalty, and there appears to be some irregularity.

The Hon. L. C. DIVER: The same provisions apply in the regulations made under the City of Perth Parking Facilities Act.

The Hon. G. C. MacKinnon: We might not like them, either.

The Hon. L. C. DIVER: That is the wording and we must nominate some figure. If the Committee wishes to cut the amount in half, I do not mind, so long as it will have a salutary effect upon an individual who refuses to shift a vehicle.

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

The Hon. H. K. WATSON: I move an amendment—

Page 2—Add after proposed new Section 57A a further new section as follows:—

57B. A member of the police force or a traffic inspector may, upon the request and at the cost of any person in possession of land, or an employee of such person, remove, or cause to be removed, any motor vehicle from trespass to land to the nearest police station; and the costs of so removing the vehicle may be recovered by such person from the owner of the vehicle by complaint made under the Justices Act, 1902.

Hon. members will notice that I have included after the words "trespass to land" the words "to the nearest police station." This will answer the question raised by the hon. Mr. Loton, and the wording is in accordance with the traffic regulations which were tabled in this House a few days ago.

The Hon. H. C. STRICKLAND: I might point out that in the North-West there might be a distance as great as 300 miles separating a police station from a town. For instance, there is no police station between Carnarvon and Meekatharra and it would be necessary to bring down a policeman from either Carnarvon or Meekatharra to move a car 300 odd miles to the nearest police station.

The Hon. H. K. WATSON: To meet the point raised by the Minister, I would ask leave of the Committee to insert after the words "police station" in line 9 of the proposed new section, the words "or to some other place as may be deemed expedient." The policeman would then exercise his discretion. As introduced, the Bill was intended to be confined to the metropolitan area. At the suggestion of the Minister and his advisers, it was extended to the entire State. Now, the Minister raises this point. The problem raised by the Minister is hypothetical. We are dealing with a

problem that concerns the metropolitan area and country towns. In practice it will not arise outside the metropolitan area, or a country township.

Leave granted.

The Hon. L. C. DIVER: Rather than lose this legislation in another place, it may be as well to add a proviso.

The Hon. H. C. STRICKLAND: I did not request the extension of this legislation to the entire State. I questioned why it was to apply only to the metropolitan area and not to Fremantle, Midland Junction and Northam.

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

Ayes—14

Hon. C. R. Abbey	Hon. H. L. Roche
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. A. F. Griffith	Hon. J. M. Thomson
Hon. A. L. Loton	Hon. H. K. Watson
Hon. G. C. MacKinnon	Hon. F. D. Willmott
Hon. R. C. Mattiske	Hon. F. J. S. Wise
Hon. J. Murray	Hon. A. R. Jones

(Teller.)

Noes—10

Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. J. J. Garrigan	Hon. H. C. Strickland
Hon. E. M. Heenan	Hon. J. D. Teahan
Hon. R. F. Hutchison	Hon. W. F. Willsee
Hon. G. E. Jeffery	Hon. W. R. Hall

(Teller.)

Pair.

Aye.	No.
Hon. L. A. Logan	Hon. G. Fraser

Majority for—4.

Amendment thus passed.

The Hon. G. C. MacKINNON: The hon. Mr. Diver said something about a proviso. The Minister quoted a case up North but there could be innumerable cases occurring in holiday towns which have a parking problem and which have not a police station within 20 or 30 miles. One could quite easily find one's car carted off 20 or 30 miles to the nearest police station. I voted for the amendment on condition that the proviso would be incorporated.

The Hon. H. K. WATSON: I feel the Bill should not be confined to the city area but should also be extended to the metropolitan area. I think the measure ought to be recommitted and the appropriate amendment drafted to provide for the eventuality raised.

The Hon. A. L. LOTON: The other night I wanted to confine my Bill to the South-West Land Division and I met with considerable opposition. But now I find the same hon. members wishing to confine legislation to the metropolitan area.

The Hon. L. C. DIVER: I hope the Bill will be recommitted and that certain limitations will be placed on the sphere of operations to meet the requirements of hon. members. I am not sure, but we may have to go beyond the metropolitan area.

It may even be necessary to permit regulations to be drafted to cover situations that might arise.

Clause, as amended, put and passed.

Title—put and passed.

Bill reported with amendments.

ELECTORAL ACT AMENDMENT BILL (No. 4).

Second Reading.

Debate resumed from the 14th October.

THE HON. H. C. STRICKLAND (Minister for Railways—North) [9.15]: In explaining this Bill, which he did very thoroughly, the hon. Mr. Simpson told us that its object was to reinstate the old postal voting system throughout the State, excepting in the metropolitan area where he considered the new system should be retained. I have here the departmental views on this matter. The department considers that the existing system should be given further trial before it is completely condemned in respect of any portion of the State. It claims there is, and always has been, confusion in regard to the postal voting system as operated by the Commonwealth and the State.

The Commonwealth has an entirely different system from that of the State, and it was decided to bring the latter more into line with the former. I have already expressed my views on this matter previously. In the far-flung districts of the State I feel that the old system may be the best. As there has not been an election in the North Province since the introduction of the new postal voting system, I am not competent to say whether its effect will be better or worse for the electors in that province—a province which embraces three Legislative Assembly electorates.

I consider that at least the existing system should be given more trial, and that will take place at the elections next year. Parliament will then be in a better position to assess the merits of the two systems.

The Hon. A. F. Griffith: Is that the Government's view?

The Hon. H. C. STRICKLAND: This Bill has not been presented to the Government. The views of the Government in regard to postal voting were expressed when the Act was last amended. It was as a result of a Government measure that the existing system was brought into use. Whilst it has been criticised, as the result of the biennial Legislative Council elections this year, particularly in relation to the Central Province, I consider it has not been given an adequate trial. The Commonwealth system works very satisfactorily.

The Hon. L. C. Diver: Will the State Government put in the same voting facilities as the Commonwealth Government?

The Hon. H. C. STRICKLAND: The State Government is endeavouring to do that.

The Hon. L. C. Diver: Has it been done up to date?

The Hon. H. C. STRICKLAND: The hon. member is implying that has not been done. I agree that complaints were received of an insufficient number of polling booths being provided during the Central Province election. The main point is that a system of postal voting was available. I am advised that even today people are applying for postal ballot papers for the Commonwealth elections, although nominations have not even closed.

The Hon. A. F. Griffith: Under the Federal Act, electors can make application earlier than under the State Act.

The Hon. H. C. STRICKLAND: Even now the electors are making applications for postal ballot papers for the Federal elections. I admit that the Commonwealth authorities have greater facilities, through the post offices, to keep the rolls in very good order. From the information available through the postal services, the Commonwealth authorities are able to advise people who are eligible to vote and people who desire to apply for postal ballot papers.

At the last biennial election of the Legislative Council, which is not a compulsory election, we found that the existing system was not entirely satisfactory. In the view of some hon. members it may not have been up to even 50 per cent. satisfactory; but as that was the first occasion on which the new system was used in a State election, which was not a compulsory election, it was considered that the results were not very bad.

The Chief Electoral Officer points out that the Midland Province election of 1950, which the hon. Mr. Simpson compared against the 1958 election, resulted in a 55.2 per cent. vote; while the 1958 election resulted in a 47.52 per cent. vote. That is not a big drop under a new system. He goes on to say that at the last election the number of postal votes in respect of the Midland Province increased from 125 in 1950, to 278 in 1958. So a greater number of postal votes was received in 1958 as compared with 1950.

The Hon. L. C. Diver: My point is that the facilities were not there.

The Hon. H. C. STRICKLAND: Nobody is compelled to vote in the Legislative Council elections. I do not want to reflect on the ideas of hon. members, but I did hear one hon. member say that he had no mandate to make people vote. For those

who did want to vote we say the facilities were there. The candidates and the party organisations themselves ought to get about and look after the electors.

The Hon. A. R. Jones: Many polling booths were closed.

The Hon. H. C. STRICKLAND: Apparently there were not enough in some places. We have always had the same complaint in the Northern Province. For instance, the Gascoyne Assembly electorate had only four polling booths—one at Shark Bay, one at Carnarvon, one at East Carnarvon and one at Gascoyne Junction.

The Hon. A. F. Griffith: Is that not a remote area?

The Hon. H. C. STRICKLAND: Yes, it is a remote area now under the Act. Under the old system that was the number provided.

The Hon. F. J. S. Wise: Yet there was a 90 per cent. vote.

The Hon. H. C. STRICKLAND: That is so.

The Hon. G. Bennetts: The Minister controlling these matters can establish additional booths if warranted.

The Hon. H. C. STRICKLAND: The Bill seeks to insert a provision that where 20 or more electors petition for a polling booth, one shall be provided. If such a petition to establish a booth in a particular location was received, is there any guarantee that the 20 electors concerned would vote? It is rather a broad provision to enable a polling booth to be established if 20 electors petition for one when only two or three of them may vote there. In the case of an election involving compulsory voting, it is the responsibility of the department to ensure that every facility is available.

The view of the department is that the basis of the comment is that the existing system did work reasonably well during the first attempt where voting was not compulsory. The department considers that the response on the initial occasion when the system was used was very good. It considers that in the next general elections many of the faults will be ironed out, and many of the difficulties which were experienced will be eliminated. It feels that no alteration should be made to the existing system until after the general elections next year. For that reason I cannot support the Bill.

THE HON. A. F. GRIFFITH (Suburban) [9.27]: I would like to make a few comments on this Bill. I feel that the hon. Mr. Simpson introduced it to try and bring about some alleviation of the difficulties which country members, in particular, experienced during the last Legislative Council elections.

Last year the Government introduced a Bill to amend the Electoral Act affecting postal voting. It was explained to us that the Bill was as near to the Federal system as was possible. I accepted in good faith the assurance given by the Chief Electoral Officer that a better situation would prevail, if the system in this State was made similar to the Federal method of voting. The amendment which was ultimately placed on the statute book was much more stringent than was originally intended, and the Government has recognised that by moving certain amendments to a Bill which I presented to this House, but which received very short change in another place.

The Hon. H. C. Strickland: It is to be reconsidered.

The Hon. A. F. GRIFFITH: It is to be hoped it will be. The amendments to that Bill were inserted by the Minister on behalf of the Government. I hope the childish pique which was demonstrated by the Government will be overcome. I profess quite frankly that if there is anything I can do to make it easier for country people to vote—I include the people in the North-West and on the Goldfields in that category—at Legislative Council or Legislative Assembly elections, I shall be only too willing to assist.

Unfortunately our experience, and the experience of candidates during the last Legislative Council elections, was that the Government did not provide sufficient polling booths, with a result that many people were not able to exercise their franchise. When I agreed to the Bill introduced by the Government last year, I did not have it in mind that the Government would decrease the number of polling booths. It did not provide sufficient booths. The Minister said—

I believe where it is compulsory, it is up to the department to provide polling booths.

This is suggesting that anything that is not compulsory is not the worry of the department.

The Hon. H. C. Strickland: I did not say that.

The Hon. A. F. GRIFFITH: It is one of those statements on which an interpretation of that nature can be placed. We have one franchise for this House, and it is voluntary, and the person who has enrolled in a voluntary franchise should be given just as much opportunity to vote as any person who is obliged by compulsion to vote. By taking away polling booths from the country, coupled with the fact that much of the country about which I am speaking is no longer served by railways, the situation is that applications for postal votes could not go down, back, and down again in time for the election.

The Hon. H. C. Strickland: They have mail services.

The Hon. A. F. GRIFFITH: They were apparently not good enough. The one difficulty that I see in regard to the hon. Mr. Simpson's Bill is this: It envisages the retention of the present system of voting for the metropolitan area and a reversion to the old system for the country.

Here I make a comment in respect to the North-West where the hon. Mr. Wise says there is a 90 per cent. vote. There is good reason for that, as the hon. member knows. On every one of those stations there was at least one postal vote officer, and that made the situation a lot easier for the North-West people to vote. In some cases other agents were at work—one might include the hon. member himself—but in those cases it was easier for the people to vote because they were in a position to exchange votes from one postal vote officer to another, and that was very desirable. But now the North is supposed to be a remote area, and people will become permanent postal voters and will have their ballot papers sent without application.

But I see a difficulty in regard to this. For example, take the boundary line between my province—Suburban—and the Central Province. The boundary line is a road, and looking straight up this road, on the righthand side, there will be in my province the system of applications for postal votes. On the other side of the road will be the system of a person making application to a postal vote officer.

Now, the fellow who lives on one side of the road or the other might find himself in the position that he has first to apply to the postal vote officer to get a vote in the one place, and then get an application for a postal vote in the other. There I see some difficulty which might be attached to this system. However, I am prepared to give support to the Bill because I think there is some attempt, at least on the part of the hon. Mr. Simpson, to point out to the Government the difficulties that were experienced. I repeat that there would not have been anywhere near as many difficulties if the Government had not taken away some of the polling booths.

I know that in the last election, as far as my own province was concerned, an area which I might have expected to be my way politically, shall I say, had a sparse number of polling booths in comparison with an area I did not anticipate would be my way. Some extraordinary things happened in that election. I gained majorities in places where I did not expect them.

The Hon. E. M. Heenan: The Government was looking after you.

The Hon. A. F. GRIFFITH: Yes, it must have been. Anyway, that was the situation. The Minister has not expressed the Government's views on the

Bill. It appears that he is going to let it go to the Legislative Assembly where the views will be expressed.

The Hon. H. C. Strickland: What are your views on the constitution of the Bill?

The Hon. A. F. GRIFFITH: Does the Minister want me to go over that again?

The PRESIDENT: No. I think the hon. member had better speak to the present Bill.

The Hon. A. F. GRIFFITH: This one—

The Hon. H. C. Strickland: Does it require a constitutional majority?

The Hon. A. F. GRIFFITH: If there is any doubt, I think we should give it one.

The Hon. H. C. Strickland: What is your personal view?

The Hon. A. F. GRIFFITH: I have stated it. If there is any doubt, I think we should give it one. If the Minister is so naive as to think I would be drawn into a trap of that nature, he underestimates me.

The Hon. H. C. Strickland: It might conflict with your previous views.

The Hon. A. F. GRIFFITH: It might easily, but the fact remains that this Bill is similar to the one which this House sent down to the Legislative Assembly, and there was no question then of a constitutional majority.

The Hon. H. C. Strickland: You would not question your own Bill?

The Hon. A. F. GRIFFITH: Why not? If the Minister thinks I have made a mistake and he is good enough to point it out, and I realise he is right, I am ready to accept it. But the Minister had better not lead me into anything on this. I will let it go at that. I think it is a pity that we could not have obtained the Government's view on the question, because if we had we might have got some idea—

The Hon. H. C. Strickland: I told you what the Government did. It enacted the existing legislation.

The Hon. A. F. GRIFFITH: But the Minister did not tell us the Government's view on this one. He is indicating he will let it go down there.

THE HON. G. BENNETTS (South-East) [9.37]: As one of the contestants in the last election, I had no trouble regarding polling booths. In fact I was quite satisfied although there was one anomaly at Marvel Loch, which I recognised very early in the piece. But it was rectified easily. A complaint was lodged,

and the electoral officer immediately installed a polling booth there. I agree with the Minister that we have not given the system a proper trial. A general election is necessary to find out exactly what is required, after which legislation can be brought down if necessary.

The Hon. E. M. Heenan: What did your opponents think?

Question put and passed.

Bill read a second time.

In Committee.

The Hon. W. R. Hall in the Chair; the Hon. C. H. Simpson in charge of the Bill.

Clause 1—put and passed.

Clause 2—Section 90 amended:

The Hon. C. H. SIMPSON: At this stage I ought to say I am very grateful to hon. members for having supported the second reading. I really expected someone to adjourn the debate, otherwise I would have made some reply to the comments that were made. The object in the amending clause is to remove an anomaly that would have been created in the new Act. I think hon. members would understand that where additions have been made they have been brought forward with the idea of leaving the existing machinery to fill the needs of the system in the metropolitan area and to reinstate for the country, the principles of postal voting as they existed before. It was originally arranged that Section 90 of the principal Act would be amended in accordance with this Bill but that would have meant that no postal vote facilities would have remained for application in the metropolitan area. Therefore it was necessary to draft this further amendment so that the facilities that were necessary for some voters in the metropolitan area would still be available on application. I move an amendment—

Page 2—Delete all words from and including the word "substituting" in line 2 down to and including the word "area" in line 6 and substitute the following:—

- (a) deleting the word "or" being the last word in line twenty-six of subsection (1) of section ninety;
- (b) repealing subparagraph (iii) of subsection (1) of section ninety.

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

Clauses 3 to 9, Title—put and passed.

Bill reported with an amendment.

House adjourned at 9.46 p.m.