Hon. E. NULSEN: I did not say that clubs did not do anything, but I do say that they service only a section of the community, and a select section, because the members must be approved. It is wrong to give a club two hours and a hotel only one. I have nothing against clubs, whose hospitality I have enjoyed, but they do not render the same service to the general public as do hotels.

Mr. KELLY: I feel that the member for South Fremantle must have in mind clubs totally different from those we have in the country, which provide almost every facility for people. It is quite a common practice for men of the district, and very frequently the ladies, to congregate there early after lunch and spend the whole of Sunday afternoon together. It is practically their only social amenity in many places. I agree with the member for Mt. Marshall's contention. The Merredin Club has supplied a much-needed requirement in that area. I feel flattered by the member for Eyre, who has placed that club on a very select basis. I would point out that four-fifths of the members are railway-men. The hon. member's inference was that only the "high-ups" were members of the club. There are 500 who are able to enjoy its amenities. The Committee would be wrong in attempting to alter the Bill in this respect.

Amendment put and negatived.

Clause, as previously amended, agreed to.

Clause 31, Title—agreed to.

Bill reported with amendments and the report adopted.

BILLS (2)—RETURNED.

1, Rents and Tenancies Emergency Provisions.

With amendments.

2, Iron and Steel Industry Act Amendment.

Without amendment.

ADJOURNMENT—SPECIAL.

The PREMIER (Hon. D. R. McLarty—Murray): I move—

That the House at its rising adjourn till 2.30 p.m. today.

Question put and passed.

House adjourned at 2.41 a.m. (Thursday).

Legislative Council

Thursday, 13th December, 1951.

CONTENTS.

The PRESIDENT took the Chair at 3.30 p.m., and read prayers.

QUESTIONS.

WORKERS' COMPENSATION ACT.

As to Investigations and Action by Board.

Hon. J. G. HISLOP asked the Minister for Transport:

(1) What inquiries or investigations has the Workers' Compensation Board made as permitted in Section 29, paragraph 13, subparagraph (a) of the Act?

(2) If any such investigations were made where were the results or findings published?

(3) If any investigations were carried out, who were the medical practitioners co-opted?

(4) What measures has the board taken as permitted in Section 29, paragraph 13 (g), subparagraphs (i), (ii), (iii)?

(5) What steps has the board taken to carry out the provisions of Section 14, paragraph (a) of the Act?

The MINISTER replied:

(1) Inquiries of a general and preliminary nature have been made pursuant to Section 29 (13) (a). They largely centred on silicosis but this was discontinued with the introduction of the Pneumoconiosis Benefits Bill.

(2) No results or findings have as yet been published.

(3) No medical practitioners have been co-opted.

(4) The measures taken under Section 29 (13) (g) are as follows:—

Subparagraph (i): Pre-employment examination not considered advisable except in special cases.

Subparagraphs (ii) and (iii): Negotiations have been conducted with the Commonwealth Department of Social Services with regard to the possible use of a most suitable establishment already in existence and conducted by that department.

(5) Received consideration but no steps taken.

WATER SUPPLIES.

As to Wellington-Narrogin Main.

Hon. A. L. LOTON asked the Minister for Transport:

(1) How many chains (if any) of the Wellington-Narrogin water main have been laid since the 30th June, 1951?

(2) How many chains are prepared and ready to be laid?

(3) What quantity of steel is on hand for the manufacture of piping for this particular line and how many miles of piping will it provide?

(4) What quantity of steel is it expected that the Government will receive in the near future and how much of such steel is to be allocated for the Wellington-Narrogin project—also what mileage will this allocation complete?

The MINISTER replied:

(1) Three hundred and twenty chains of piping were laid on the Wellington-Narrogin main, between the 30th June and the 1st December, 1951.

(2) There are 80 chains of piping on the Wellington-Narrogin line ready to be laid.

(3) There is no steel on hand for the Wellington-Narrogin line.

(4) Unknown, as oversea contracts are seriously delayed with the rearmament programme. One thousand tons are outstanding for the Wellington-Narrogin main, i.e. five miles of piping.

STANDING ORDERS AMENDMENTS.

Message.

The PRESIDENT: I have received a Message from His Excellency the Governor notifying approval of the amendments to the Standing Orders recently adopted by the Legislative Council.

MOTION—URGENCY.

As to Titles of Water Supply Schemes.

The PRESIDENT: I have received the following letter from Hon. E. M. Heenan, dated the 13th December, 1951:—

> I desire to inform you that at the commencement of the sitting of the Legislative Council today, it is my intention to move under Standing Order No. 59 for the adjournment of the House to discuss a matter of urgency, namely—
>
> This House registers an emphatic protest against the decision as announced by the Premier in yesterday's "West Australian" to drop the title of the Goldfields Water Supply and to change the name to Country Areas Water Supply. The House is of the opinion that this change is entirely unwarranted and requests that the decision be revoked.

Under Standing Order No. 59, it is necessary that the hon. member shall be supported by four members rising in their places,

Four members having risen in their places.

HON. E. M. HEENAN (North-East) [3.35]: I move—

> That the House at its rising adjourn till Monday the 17th December, at 11 a.m.

My reason for taking this somewhat unusual course is that the session will close this evening or tomorrow, as far as I am aware; and if I had given notice of this motion, the House might not have had an adequate opportunity to consider it. I am sure that I am not the only one who was surprised and disappointed on reading the following item of news in Wednesday's issue of "The West Australian":—

> Name Changed.
>
> It had been decided to drop the title of Goldfields Water Supply because it had become outmoded, the Premier (Mr. McLarty) said in the Legislative Assembly yesterday. Over the years the pipeline to Kalgoorlie had been tapped in many places to serve townships and country areas in no way connected with the Goldfields. The new name would be Country Areas Water Supply, including North-West districts.

That caused me, as a representative of the Goldfields and as an individual who is very proud of the fact that he was born on the Goldfields, a great deal of concern. It may be regarded as a matter of sentiment. On the other hand, this pipeline or water supply forms a very important part of our history and goes back almost to the beginnings of the State as this generation knows it.

Members will recall that, in the early days, hardy pioneers ventured hundreds of miles into the outback. How they lived through their hardships God only knows: but as a result of their work, ingenuity and

perseverance they discovered goldfields which, throughout the history of Western Australia, have undoubtedly contributed a great deal to the welfare of this State. When gold was discovered and it was realised that the metal was present in large quantities—as the result of discoveries by men such as the late Paddy Hannan and others—people realised that Western Australia had vast potentialities in its goldmining industry. The then Premier, Sir John Forrest, whose name will for ever live in the annals of our country, with the foresight that characterised all his endeavours on behalf of the State, realised that a water scheme for the Goldfields was fundamental. His engineers visited that area and conferred with the people there and in consequence there was evolved what is now known as the Goldfields Water Supply.

It can be said that that scheme came into being because of the existence of the goldfields. It can truthfully be said that because of that water scheme the goldfields developed and grew to their present importance. Although that scheme was originally called the "Coolgardie Water Supply," over the years it has been known as the "Goldfields Water Supply," and not only the people of the Goldfields but also those of the whole State are proud of that scheme. I do not think I am being sentimental in saying that many a prayer has been offered up in thanksgiving to the people who were responsible for putting that scheme there.

Throughout the years it has been inextricably associated with the goldfields. The people of the Goldfields are very proud of the fact that not only has this scheme brought bountiful supplies of water to the area but also, in later years, it has enabled the farming districts along its route to benefit—and now it is said that the name has been changed. I am sure other Goldfields members will try to convey to the House the feelings which they know the people on the Goldfields must have experienced since reading that Press notice. I think it can be called almost an affront to the people of the Goldfields that this change should be suggested.

Somehow the name "Goldfields Water Supply" always conjures up visions of the early days on the goldfields and of what we owe to the hardy pioneers who discovered gold there and to those remarkable men, Sir John Forrest and C. Y. O'Connor, and others who, in the blazing heat, did the hard work associated with that scheme. It seems a tragedy that anyone should contemplate making this change. I do not know what is the object of the change as I have never heard anyone suggest that it should be made, or any public agitation for it. I hope, with the support of my colleagues and others in this House, to make a protest which will induce the Premier and whoever else is concerned to revoke their decision in this matter.

The additions to Mundaring Weir are to be officially opened tomorrow and presumably it is the intention then publicly to announce to the people of Western Australia that this change has been made. I hope it is not too late for the powers-that-be to alter that decision, because at this time the Goldfields want all the backing and moral support possible. The name "Goldfields Water Supply" comes readily to the notice and memory of every man, woman and child in this State and probably in Australia.

It means something to them and it announces to the world that we have goldfields in Western Australia. If the name is altered the word "goldfields" will be used less frequently and that, in my opinion, will be another blow to the Goldfields which, at this stage particularly, that area should not be asked to sustain. I conclude by commending to the House the following sentence which I culled from the leading article in this morning's issue of "The West Australian":—

> "Do tradition, sentiment and history count for nothing?"

I hope they still count for a great deal and that they will induce the powers-that-be to revoke a decision which, I am sure, has been made without a realisation of its full implications.

HON. N. E. BAXTER (Central) [3.48]: I desire to associate myself with Mr. Heenan in this motion and trust that every member of this Chamber will support the protest against the suggested change of name from "Goldfields Water Supply" to "Country Areas Water Supply." The scheme starts at Mundaring, in my province, and continues through to where my province ends, in that direction, at Hines Hill. To my knowledge there has been no protest raised nor any move made by the people of my province for a change of name such as is suggested and all but put into practice by the powers-that-be.

The name "Goldfields Water Supply" in relation to this scheme, which is over 300 miles long, is renowned throughout the world and, as Mr. Heenan has said, the scheme having been originally put through for the Goldfields, to change its name to "Country Areas Water Supply" will certainly cause considerable confusion. The new scheme, which is to serve the Great Southern area, could be called the country areas water supply equally as well. In the future, I hope to see another scheme going up through the Midland area. I might be looking ahead and doing some wishful thinking, but, I am visualising that in the future there will be a scheme through the rock catchment areas in the north-eastern wheat belt.

If we are to have all these schemes in operation in the future, the name of "country areas water supply" will not only be confusing to the public, but also to those in official circles. We should do everything

possible in an endeavour to retain the name of "Goldfields Water Supply". It would seem to me rather peculiar if our arterial roads, such as the Great Eastern Highway, the Great Northern Highway, and the Great Western Highway were named "the country roads supply" or a name along those lines, instead of the designations they carry today. I sincerely add my protest to Mr. Heenan's, and I trust that every member of the Chamber will support his motion.

HON. G. BENNETTS (SouthEast) [3.52]: I am surprised that consideration was ever given to the changing of the name "Goldfields Water Supply". I happen to be one of those whom Mr. Heenan has mentioned as the pioneers. I am glad to see Mr. Baxter supporting the motion because his father was one of the early Goldfields pioneers too. As I have told the House before, I went to the Goldfields in 1896 when people there knew what it was to be short of water. Before the water supply was provided, there was a condensing plant on the Horseshoe Lease near Kamballie, and the men had to carry the water in two buckets hanging at each end of a stick, which was carried across their shoulders, Chinese fashion.

Later on the men were able to purchase water at 10s. a hundred gallons from water carts. There was another supply at the Lake View lease. Finally, the people agitated for a water supply scheme to serve the Goldfields and in 1903 the scheme was opened. I can remember the day—the temperature was 110 degrees in the shade —the scheme was opened by Sir John Forrest, and it was one of the greatest events that ever took place on the Golden Mile.

The scheme made the Goldfields, and the Goldfields, in turn, made Western Australia. It helped to develop the whole of the State because the revenue that was obtained from gold production came to the metropolitan area and gave more life to the State. Following the decline of the goldmining industry, wheat farmers settled in the agricultural areas and today they are the largest producers of the State's wealth. However, there is no doubt that the goldmining industry will come into its own again.

The Goldfields Water Supply Scheme, as so named, is known throughout the world. If the name is altered, it will be a shock to many people throughout the world. The costeen put down in order to lay the pipeline under the ground from Mundaring Weir to Kalgoorlie, was the largest ever dug anywhere. We are faced today with the prospect of that well-known name being changed.

We are not opposed to the scheme supplying water to those in the agricultural areas. We are only too anxious to assist settlers in those parts so long as we still obtain our own water from the scheme. The people on the Goldfields strongly object to the name being altered, and I am sure every member of this House will support me in protesting against such a proposal. The pipeline has given good service in the past and we still wish the retention of the name, "Goldfields Water Supply Scheme".

HON. R. J. BOYLEN (South-East) [3.56]: I have much pleasure in supporting Mr. Heenan's motion, his remmarks, and those of previous speakers. I am rather surprised at the use of the term which appeared in "The West Australian" of the 12th December. I do not know whether it can be attributed to "The West Australian" itself or to the Premier, but it was stated that the term "Goldfields Water Supply" is outmoded. Surely we have some regard to tradition and in matters affecting the Goldfields there are many traditions.

There is no doubt that the Goldfields Water Supply Scheme has been the means of supplying water to many country areas, and in many instances, there probably would not have been so much development in those areas if it had not been for that scheme. Also farms would probably not have been developed as far east as they have been, if they had not been served with water from that source. It is almost certain that the scheme would never have been evolved and would not have existed had it not been for the discovery of gold in the early years.

The Goldfields people, in the circumstances, are not sufficiently selfish to think that people in agricultural areas should not enjoy some benefits from the scheme where necessary, although on many occasions they have had to make sacrifices because the water supply was curtailed as a result of the pipeline being tapped for the needs of those in country areas. I was wondering who suggested that the name should be changed. Surely some explanation should be given for the change in name from the "Goldfields Water Supply Scheme" to the "Country Areas Water Supply Scheme."

In the developmental programme which the Government is following now, it could use the latter term in connection with some other scheme when it is introduced. As Mr. Baxter has pointed out, it would probably be advisable to have the two designations in use so that we would be able to differentiate between the two schemes. I know that many of us from the Goldfields have felt proud when we were travelling in the train from Kalgoorlie to Perth and were narrating to visitors to the State the history of the scheme for supplying water to the Goldfields. Although they probably had never heard of its origin, they knew the scheme by its name, which indicates that it is well known not only in this State, but in other parts of the world. I therefore hope

that the Premier will reconsider his decision to change the name of the Goldfields Water Supply Scheme.

HON. W. R. HALL (North-East) [3.58]: I add my protest to those of previous speakers against the change in the name of the water supply scheme, and in doing so I support Mr. Heenan's motion. The Goldfields people will be incensed if this change in name takes place. The laying of the pipeline constituted one of the greatest feats in the world, because of the fact that the water was carried such a long distance from Mundaring Weir to Kalgoorlie. Undoubtedly, the scheme has saved the lives of hundreds of people who, without it, would have died of thirst.

Only yesterday when in the members' room, I had occasion to look at some of the photographs relating to the scheme, which depicted some of the happenings that took place during the laying of the pipeline. From the photographs it appeared that the difficulties of the task were almost insurmountable. I am wondering what Sir John Forrest or C. Y. O'Connor would say if they were still alive to hear of this proposal to change the name of the scheme in which they played such a vital part.

Hon. G. Bennetts: If the name is changed, they will rise up and haunt the Government for the rest of its life.

Hon. W. R. HALL: To change the name would be an insult to the memory of those two great men in particular and also to that of hundreds of others who had to blaze the track through all sorts of country auriferous and otherwise, and suffered all sorts of hardship in order that the pipeline might be laid. The criticism of the undertaking at the time caused considerable concern amongst those associated with the project.

Rather than change the name of the scheme at this stage, the Government would be well advised to concentrate upon an effort to supply water to Narrogin and other centres in the South-West—to which many thousands of gallons of water have to be carted by train to maintain supplies—and apply the name "Country Water Supply Scheme" to that undertaking. That would be much preferable to interfering with the name of the Goldfields Water Supply Scheme.

Sitting suspended from 4.2 to 4.15 p.m.

Hon. W. R. HALL: It must be realised that the Goldfields people have paid dearly for the pipeline. No one would like to see the name changed. The pipeline has had the same name for a period of about 50 years, and I cannot understand why the powers-that-be want to change it. It has acted as a feeder for certain agricultural areas; only just recently there has been a deviation at Kellerberrin. It has also served the prospectors in the outback; and branch lines have been constructed to Ora Banda, Grass Patch, Norseman, etc.

The existing name is the one it commenced with. Sir John Forrest, C. Y. O'Connor, Nat Harper and all the others who worked on it would, if they were here today, certainly rise to protest against this change of name, the same as every member representing a Goldfields constituency should. Mr. Heenan has done the right thing. I do not think any hon. member in this House or in another place wants to see the name changed. Even at this late stage, the decision to change the name should be revoked, so that by retaining the old title we can cherish the names of those responsible for carrying out one of the world's greatest engineering feats.

HON. G. FRASER (West) [4.20]: If this had been a motion on which a vote would be recorded, I would not speak, because I could show my opinion by voting, but as it is the sort of motion which is usually withdrawn after the mover has achieved his objective, I shall speak to it; and certainly it behoves all those members who think the same as the mover of the motion to disclose their attitude in a few words because there should be no doubt about the opinion of the House.

Irrespective of whether the Government takes any notice of this discussion, the name of the Goldfields will always remain with the pipeline because it has been firmly implanted in the minds of Western Australians and, I think, of all Australians, because on many occasions when I have been in the Eastern States persons with whom I have talked, who had previously visited this State, have mentioned the Goldfields water supply. The name has come down from earlier generations and will continue for generations to come. If it is changed, it will be changed only officially and not so far as the public is concerned. Some people might say, "What is in a name?" I am one of the old conservative type—

Hon. H. Hearn: We have not noticed that?

Hon. A. L. Loton: You may be old, but we do not know about the conservative part.

Hon. G. FRASER: —who firmly believes in sentiment. There is a lot of sentiment in the name "Goldfields". Sentiment is a trait that forms a great part in the make-up of the average Australian and it will be a sorry day when we throw it overboard. Probably now with the extensions of the water supply, the word "country" may better describe the line, but I would like the old objective of supplying water to the Goldfields to be remembered, and this can be done if we preserve for all time the present name of the pipeline. I support the motion.

HON. A. L. LOTON (South) [4.22]: I also support Mr. Heenan. I regret the decision of the Government in discarding the word "Goldfields." There is a background to the present proposal, because in 1947 an Act was passed by Parliament by which country water areas were set up, and Section 8 enabled the Governor to define any portion of the State to be a country water area under such name or designation as might be directed by Order-in-Council. It is under this provision, I take it, that the Government of today has decided to discard the word "Goldfields," but for what reason I do not know.

I regret that in its wisdom it has decided to tack on in front of the words "North Eastern Districts," the words "Country Areas Water Supply." I think this is totally unnecessary. To take a pipeline from Mundaring to the Goldfields —to Kalgoorlie and Coolgardie in particular—it was necessary to pass it through country areas. The name "Goldfields" is world-famous. It conveys to people from other parts of the world who come to Western Australia what the Goldfields pipeline means.

As Mr. Heenan pointed out earlier, the term conveys to them that there are goldfields in the State. In the early days the goldfields attracted capital and population to Western Australia. Most of our wheatgrowing areas were established as a result of people coming here to find gold and then turning to agricultural pursuits. Mr. Fraser made some reference to tradition. I also am a great believer in tradition. The whole of Western Australia, and I suppose the British Empire in general, has been built on it; and I fail to see why the Government could not adhere to tradition and allow the name "Goldfields Water Supply" to remain. I hope the protest registered in this House by those who speak to the motion will show that if the question came to a vote, the decision would be almost unanimous.

HON. R. M. FORREST (North) [4.26]: I protest against altering the name and I congratulate Mr. Heenan for bringing the matter forward. The whole of the back-country of Western Australia has been built up by pioneering endeavour. Tradition is far too easily forgotten in a huge State like Western Australia. When we remember that this pipeline, which runs for just on 400 miles eastward, has built up an inland city, we can be proud of it. I am surprised that anyone, 50 years after the opening of the scheme, should consider altering the name to "Country Areas Water Supply." I support the motion.

HON. H. HEARN (Metropolitan) [4.27]: I support the motion because just recently it has been my privilege to travel some thousands of miles from this State and visit very big centres. Not only on this occasion, but previously, I have been asked many times to explain the Goldfields water scheme. The mere fact of that name allows people in other parts of the world to know something of the wonderful engineering feat carried out here, and at the same time, it has served to advertise our Goldfields.

This is a young country, and if we do not, right in the infancy, as it were, of our national existence, have regard and reverence for some of the early pioneering ventures by seeing that the original names are preserved for posterity, we will never get to the stage of knowing what has been done all through the years. Some reverence for the past and sentimental regard for those who blazed the trail should be in evidence, and I believe that in changing this name there is a departure from a very sound tradition.

HON. H. L. ROCHE (South) [4.28]: In view of the fact that we have just heard of the proposal to change the name of this scheme, I commend Mr. Heenan for bringing the motion before the House at this stage. I regret that it is not possible to take a vote on the motion without adjourning the House until next week. Personally I might be prepared to take the risk of doing that, but I doubt whether the majority of members would. I feel that way because although we will express our opinions, not one of us is so ingenuous as to believe that the Government will take much notice unless a definite motion is carried.

It seems a pity that before an action of this kind is decided on consultations are not held with persons who are personally interested and concerned in the matter. This seems to have been the idea of some bright backroom boys that has been seized on and accepted, and given publicity without the feelings of the Goldfields people, or the remainder of the people throughout the State, being considered in any way. I am not going to delay the House, because presumably most members will wish to join in supporting the protest voiced by Mr. Heenan, beyond saying that I hope, maybe with little faith, that even at this late stage the Government will take some notice of the protest made in this House this afternoon.

[Resolved: That motions be continued.]

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [4.31]: I hope that when members have voiced their protest, they will allow this motion to lapse. As has been said, there is no obligation upon the Government to take any action, even if this motion is passed. I can assure members that some of them are suffering from a misconception as to the actual name at present applied to the Goldfields Water Scheme, and there is some flaw in their reasoning. The original name was the Coolgardie Water Scheme, and as such it was justly famed throughout the world as the biggest project of its kind at that time. With that scheme are associated the names of Sir John Forrest and C. Y. O'Connor.

In 1902, when the change of name was made from the "Coolgardie Water Scheme" to the "Goldfields Water Supply Scheme", Sir John Forrest had left the State and was in Federal politics. Whether he desired to register a protest against the change of name at that time I do not know, but he probably would have had more cause to think that the old name should be retained than those members who now object to the name being changed again. It has already been changed once.

Hon. H. L. Roche: But the other change was at least appropriate.

The MINISTER FOR TRANSPORT: I will come to that in a moment. When the Coolgardie Water Scheme was projected it was to serve the needs of people at Coolgardie. At that time Kalgoorlie had not been developed and it is true to say that if the scheme had rested at Coolgardie alone, the chances are it would have been an economic failure, and it was the development of Kalgoorlie, and other districts later, that enabled the scheme to function successfully.

I know that on the Goldfields in the early days there was great trouble because of lack of water. If members go through the back areas they will hear all sorts of stories about what happened in the early days. I know of one story of where a man wanted a lift on a camel, and after travelling about 40 or 50 miles on the camel he offered to pay the owner for the lift. The owner said, "It does not matter; you can pay for a drink for the camel." The man did this, but found it cost him £2 for 40 gallons of water to give the camel a drink; so it was a pretty dear ride. I have been told that when Sir George Reid attended the official opening of the scheme, he remarked that he had never been in a place where water was talked about so much and so little of it drunk. The first name of the scheme was the Coolgardie Water Scheme and it was administered under the Coolgardie Goldfields Water Supply Construction Act. In 1902, the name was changed to Goldfields Water Supply Scheme because it was administered under the Goldfields Water Supply Act.

Hon. N. E. Baxter: That was 49 years ago.

The MINISTER FOR TRANSPORT: Yes. In 1947 we entered into a more ambitious project for which we received considerable financial aid from the Commonwealth—that was the comprehensive water scheme—and, as Mr. Loton pointed out, provision was made, if necessary, to change the name if and when the Government decided to do so. The Act in question was known as the Country Areas Water Supply Act, and that is the Act under which this scheme is now being administered. So the time has come when the scheme has developed into a much bigger one than was originally conceived, and as it serves an area which in the main is very much bigger, because it includes the country areas, it is thought that the name should be changed.

Hon. A. L. Loton: Is this a departmental recommendation?

The MINISTER FOR TRANSPORT: I am not sure where the recommendation came from, but the scheme is actually administered under that Act, and because there is a link-up with the Commonwealth it is considered desirable to make the name of the scheme conform to that of the Act under which it is administered. The scheme now embraces the water supplied from the Wellington Dam and it is intended that it shall cover the needs of the Great Southern areas.

So the scheme is not a goldfields water supply scheme but is, in fact, a country areas water scheme, and it is desired to apply a name which will be consistent with the operations of the Act under which it is administered. I said earlier there had been many names in the history of our State that had been changed. People will remember that the name of Newcastle was changed to that of Toodyay. I know of a station called Mullewa Junction which was later changed to Crowther, and later to Narngulu. There are many names on the Murchison goldfields, and many other parts of the State, that have faded into oblivion or have been changed altogether.

Hon. H. L. Roche: But this has not faded.

The MINISTER FOR TRANSPORT: That is so, but when members say that we are changing a name which is known the world over, they are in error because the scheme was known all over the world as the Coolgardie scheme. I have read many articles describing the immensity of the scheme, and in every case it has been referred to as the Coolgardie Water Scheme. I do not remember one which referred to it as the Goldfields Water Supply Scheme. But conditions have changed; that is why it has been decided to change the name, and it will bear the name of the Act under which it is administered. That is the substance of the reasons for the change of name, and I suggest that after members have registered their protest, they will allow the mover of the motion to withdraw it.

HON. J. G. HISLOP (Metropolitan) [4.38]: I agree with the Minister that there is a good deal of utilitarian purpose behind this, but I think there are times when utilitarianism must give way to sentiment. If this name is removed, we will take away one of the very few things that still impress the younger generation about the deeds of the pioneers of this State. I suggest that this is one of the historic methods by which man has harnessed water to his use.

About four years ago, I was standing on the side of the Colorado Valley talking to a scientist who was giving a lecture to the public on the wonders of the canyon. When he had finished, I spoke to him about it, and told him where I came from. He, in return, said to me, "But you come from an area where they really did pioneer the taking of water over long distances."

So we should realise that this is one of those historical feats which vie with such engineering achievements as the wells at Aden, the dam at Colorado and many others. Therefore, while it may be necessary for the department to have a name of this sort, it is up to us, as citizens of the State, to see that the name of the Goldfields Water Supply Scheme or the Coolgardie Water Supply Scheme never fades from our memory. Provided we and the Goldfields people constantly refer to it in those terms, the name will not fade away.

I would like, in a little more facetious vein, to suggest that if the Government is to be really up to date in this question of finding a name—like the hydra-headed monster, it has used the term "Country Areas Water Supply including the North-West"—why did not the Government use a simple term and deal with it like the United Nations Organisation, who call their organisation U.N.R.A. or U.N.E.S.C.O., and call this "C.A.W.S.I.N.W." Then there would not be any difficulty at all! I support the hon. member.

The Minister for Transport: What about "Cause and Effect"?

HON. H. C. STRICKLAND (North) [4.41]: I also support the motion. Some people say, "What's in a name?" I really believe that there is a lot in it and that the present name should be retained and kept in perpetuity so that the great feat of taking water to the Goldfields, and the resultant building of the agricultural industries, will be known in perpetuity. It would be wrong to delete the word "Goldfields" from the name because that is a constant reminder to those who know the history of the goldfields and are able to understand it. If people heard the name "Country Areas and North-West Water Supply," it would create a misconception and would not excite anybody's curiosity. Anyone knowing the North-West at all would know that they do not take water from the Goldfields Water Scheme to the North-West areas. Therefore I support the motion in its entirety and trust that the Government will at least retain the name "Goldfields."

HON. E. H. GRAY (West) [4.42]: I received my early education regarding Australian history at Broken Hill, and I was fortunate in securing a very capable wife whose father and only brother were prospecting at Coolgardie long before the pipeline was laid down. Owing to economic circumstances, they had to condense water and sell it. There will be thousands of people throughout Australia who will bitterly resent the action of the Government in altering this name, and I am amazed that the Minister for Works and Water Supply, Hon. D. Brand, should succumb to the recommendations of the departmental officers who must have suggested this change. The descendants of the pioneers of the goldfields will also resent this change of name. These people are spread all over Western Australia and the Commonwealth, and I am sure they will commend the hon. member for bringing this motion before the Chamber. We can only hope that even at this late stage Mr. Heenan's protest will result in the Government reverting to the old name of the Goldfields Water Scheme. I support the motion.

HON. A. R. JONES (Midland) [4.45]: I wish to take a few moments to also register my protest at what the Government has seen fit to do. With other members, I believe that of all things historical in Western Australia the Government could not have picked one calculated to upset the people and raise their hackles more than would the changing of the name of this water scheme. We have had men fight and die for this country; we have had men go into the interior and die in endeavours to develop the country and make it what it is today. Wherever those men fought or worked, it was for the building up of this country and for the making of the history of Australia.

To suggest we should change the name of some great battle or some great deed would be absurd, and nobody would consider doing it. The Government should be ashamed of changing the name of something that means so much to the State and to the Western Australians who fought and lost their lives for this country. I believe that when putting the scheme through the Chief Engineer met his death. I suggest we should all raise our protest, and I am only sorry that this motion will not go to the vote so that everyone would know our feelings and how distasteful we think the Government's action is in this matter. I have much pleasure in supporting the motion and in commending Mr. Heenan for bringing it before this House.

HON. E. M. HEENAN (North-East—in reply) [4.47]: First of all I must thank the various members for the way they have supported this motion and for the very interesting and helpful speeches which each one of them has contributed to the debate. After making a few brief remarks, I will ask permission to withdraw the motion. In doing so, however, I do not want the Government to construe this as meaning that this House withdraws the protest that has been made by various

speakers. I think the Government, through the Minister for Mines, should realise that if this motion had gone to the vote it would have received the unanimous support of this House.

Hon. Sir Charles Latham: What about putting it to the vote?

Hon. E. M. HEENAN: I think Sir Charles Latham was out of the Chamber when I introduced the motion and, though my tactics may not have been correct, I did the best I could in view of the fact that I thought the present session might finish tonight or in the early hours of tomorrow morning.

Personally, I was a little despondent at the attitude taken by the Minister. I hope he will relent and use his undoubted influence and prestige as a member of the Cabinet to see if something cannot be done about the matter, even at this late hour. He is the Minister for Mines and in that capacity he is directly responsible for the goldmining industry and he is the person in whom the people of the Goldfields repose a great deal of confidence. Since his tenure of that exalted office, I can safely say that the people of the Goldfields have had every confidence in him and that they realise he has done his best for the Goldfields and for the goldmining industry.

As our Minister, and as the direct representative of the mining industry in Cabinet, he is the hope of our side and the man on whom we will lean. When the Minister tried to justify this proposal by saying that one change had already been made in 1902, I think he was not on very firm ground, because we all know that Coolgardie was the main centre of the Goldfields for some years. It was so until the hardy pioneers moved farther on and Paddy Hannan found gold at Kalgoorlie. Then from those centres they moved further out to Ora Banda, Kanowna, Widgiemooltha, Norseman and to other parts. So I think there was every justification for the wider term of Goldfields Water Scheme in lieu of the Coolgardie Water Scheme. When all is said and done, the terms are almost synonymous.

This scheme was constructed firstly to serve Coolgardie and then to serve Kalgoorlie; then it went on to Ora Banda, to Widgiemooltha and to Norseman—all Goldfields towns that have a place in history. Therefore the change of name from Coolgardie to Goldfields was the obvious and proper thing to do. Coolgardie connotes the goldfields but the broader term of Goldfields Water Supply was, I suggest, more appropriate than the previous one. As Mr. Fraser and Dr. Hislop have pointed out this water scheme will be known by the present generation, I am sure, as the Goldfields Water Supply Scheme.

Hon. A. L. Loton: So it should be.

Hon. E. M. HEENAN: We cannot efface history, tradition and sentiment merely by having someone in the Water Supply Department affix a rubber stamp to a document. But what I am sure troubles a lot of people is that, in future, in history books and official publications the name will be altered and in due course the name of Goldfields Water Supply Scheme will not be heard on the lips of the people. I think a mistake is being made for practical and mundane purposes because Western Australia in the past has had to lean very heavily on the Goldfields.

There are already rumblings in the economic circles of the world suggesting that our present economy—which is largely based on the high prices of commodities—is likely to face troubled periods. History has a knack of repeating itself and undoubtedly the goldfields will again contribute to the welfare and prosperity of the State. I am sure that is the wish and hope of everyone. We are all alarmed, and we must continue to be alarmed, at the trend towards centralisation. The discovery of new goldmines will be the one answer to that threat to this generation.

Let us develop the Goldfields; let us use the word "goldfields" on every conceivable occasion. It connotes to the present generation of Western Australia that we have great latent wealth lying here waiting to be brought to the surface; it connotes to other States and to the people of the world that Western Australia is a place that has goldfields. To do something which will lessen the use of that name is, in my opinion, unwise. It is a blow to the sentimental feelings of the people of the Goldfields and to their descendants, who are not all centred on the Goldfields.

As Mr. Loton has pointed out, those descendants are scattered all over Western Australia; they have gone on to the farms, into the timber areas, and I am sure they are all proud of the fact that they have some association with the Goldfields. It is a name which really means something. Finally, on behalf of the people of the Goldfields and on behalf of the treasured sentimental feelings which this name conveys, and will convey to future generations, I appeal to the Minister, as Minister for Mines, to do what he can to have this decision altered. I am sure he will be strengthened in his endeavours by the generous support and logical arguments which the various speakers have put forward today. On behalf of the people of the Goldfields, I sincerely thank them for the support accorded this protest. I ask leave to withdraw the motion.

Motion, by leave, withdrawn.

BILL—TRAFFIC ACT AMENDMENT.

In Committee.

Resumed from the previous day. Hon. G. Fraser in the Chair; the Minister for Transport in charge of the Bill.

The CHAIRMAN: Progress was reported after a proposed new section had been partly considered. The new section, which has been altered in Subsection (2), now reads as follows:—

> 10. The following section is inserted in the principal Act:—
>
> 32A. (1) Any court before whom a person is convicted of being in charge of a motor vehicle on a road whilst under the influence of alcohol or drugs, shall if the Court is satisfied that there is evidence of such person being habitually addicted to alcohol or drugs refer such person for medical examination and report and may suspend the penalty of fine and/or imprisonment, but shall revoke such person's license.
>
> (2) The person whose license is revoked shall be disqualified from obtaining a license until such person presents to the Court a medical certificate in writing stating that such person is no longer habitually addicted to alcohol or drugs.

Hon. J. G. HISLOP: In view of certain alterations that I wish to make, I shall have to ask for a recommittal of the Bill, because I now intend to move for the insertion of certain words in Clause 6. I ask leave to withdraw the proposed new section.

Proposed new section, by leave, withdrawn.

Bill reported with amendments.

BILL—FACTORIES AND SHOPS ACT AMENDMENT.

Second Reading.

Order of the Day read for the resumption from the previous day of the debate on the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Hon. G. Fraser in the Chair; the Minister for Transport in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Section 132 amended:

Hon. E. M. DAVIES: The clause provides that a child shall not occupy or use any building premises or place as a shop or warehouse. Will the Minister explain the object?

The MINISTER FOR TRANSPORT: I gave the explanation on the second reading, but will repeat it for the information of the hon. member. The Act provides that a male person under the age of 14 years, and a female under the age of 15 years, may not be employed in any factory, shop or warehouse. However, there is a weakness here. A male or female child under these ages may register and operate a factory, shop or warehouse, and the amendment is intended to remove this anomaly from the Act.

Advice has been obtained from the Crown Law Department, which has ruled that there is nothing in the principal Act to prevent a shop being registered even though it is conducted by children, who, because of their age, could not be employed by the proprietor of any such shop. It is obvious from this ruling that any child could become the registered occupier of a shop, warehouse or factory. It is not very likely that a child would become the registered occupier of a warehouse or factory, but it is possible in the case of a shop, and this could give rise to serious possibilities.

Hon. H. S. W. Parker: Is "child" defined in the Act?

The MINISTER FOR TRANSPORT: Yes.

Clause put and passed.

Clause 4—Section 138 amended:

Hon. H. HEARN: I cannot understand why we should stipulate split percentages, such as 83.5 and 91.5. Why not say 84 and 92? Does the Government realise the amount of work caused to business firms by the splitting of straws in this way? I move an amendment—

> That in line 6 of the precentage table, the figures "83.5" be struck out and the figures "84" inserted in lieu.

The MINISTER FOR TRANSPORT: Since the Bill was introduced in another place, two things have occurred. The Arbitration Court increased the basic wage for women to 65 per cent of the male basic wage, and also gave effect to the award for shop assistants in the metropolitan area. As a result of the increased female basic wage, a rise-and-fall clause was inserted in all awards in the case of female employees. This rise-and-fall clause ensured that total rates for female juniors were not disturbed. Male juniors were not granted an increase under the new award, so both male and female juniors remained on the same rate of pay. At the present time, juniors not covered by any award are receiving this rate. The purpose of this amendment is to remove these juniors from the ambit of the Metropolitan Shop Assistants' Award and to make provision for them under the principal Act until such time as they are covered by an award.

As a result of the increased basic wage for females, the percentages of junior females were reduced by the operation of the rise-and-fall clause, although it did not mean that they received less money. This will serve as an illustration: The present rate of pay for a female junior shop assistant at 15 years of age is £2 12s. 4d., and, prior to the recent increase in the female percentage of the male basic wage, it represented 45 per cent. As from the 1st of this month, this junior's percentage has been lowered in the Metropolitan Shop Assistants' Award to 39.1 per cent. of the new basic wage, but she still receives £2 12s. 4d. per week. I do not know whether the amendment would affect those percentages, but it was necessary to conform to the differences that might arise from the application of the formula.

Hon. H. HEARN: Speaking generally, employers' organisations do not like split percentages. They would prefer to take the next higher whole percentage. This would simplify work in the various offices.

Amendment put and passed.

Hon. H. HEARN: I move an amendment—

> That in line 7 of the percentage table, the figures "91.5" be struck out and the figures "92" inserted in lieu.

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

Title—agreed to.

Bill reported with amendments and the report adopted.

Third Reading.

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

BILL—LICENSING ACT AMENDMENT (No. 2).

Received from the Assembly and read a first time.

BILL—GOVERNMENT EMPLOYEES (PROMOTIONS APPEAL BOARD) ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. E. M. DAVIES (West) [5.15]: I do not feel very happy about this Bill. As a matter of fact, I am rather at a loss to understand the reason for its having been brought down. I believe that members of the Police Force endeavoured over a period of years to be brought under the present system whereby they can appeal against promotions or for promotions. The tribunal to which they now have access is one that is most desirable, in my opinion, and I feel sure it is most democratic. It permits the Commissioner of Police and the members of the force each to have a representative sitting with an independent chairman and, to my way of thinking, that is the best method.

But for some reason or other the Commissioner of Police has now requested the Government to introduce this measure with a view to making some alteration. Notwithstanding the fact that the Commissioner himself is the person who approves of promotions or otherwise, it is now proposed to set up an appeal board which would include him as chairman, the other members being a panel selected from inspectors, sub-inspectors, non-commissioned officers and so forth.

The Commissioner, who is the nominal head of the Police Force and is the deciding factor in the matter of promotions, is to occupy the position of chairman of the proposed board, and so it becomes a matter of appealing from Caesar to Caesar. The appointment of inspectors, sub-inspectors and non-commissioned officers to the board does not appeal to me because such persons, being subservient to the Commissioner, would be in a very invidious position if they were asked to adjudicate on a case in respect of which the chairman, as Commissioner of Police, had already made his decision.

I believe the statement was made that the Police Force is a semi-military body. That phrase does not appeal to me. I consider that the Police Force is a civilian body, recruited for the purpose of maintaining law and order and, so far as I am concerned, it is in no way connected with any form of militarism. I realise that it is necessary there should be a certain amount of discipline in the Police Force, and possibly the Commissioner interprets that as being militarism. I do not do so, and regret very much that the term has been used in connection with this measure.

So far as the Police Union being in favour of this alteration is concerned, I am at a loss to understand how that can be, because for a number of years the Police Force itself endeavoured to get away from the old system under which those in authority were the people to whom the members of the force had to appeal, and decided that there should be an independent board. After a number of years' advocacy that request was granted; but now, for some reason or other, a departure seems to be required. I am not in accord with the measure and have no intention of supporting it.

HON. SIR CHARLES LATHAM (Central) [5.20]: The Bill is a very simple one. All it does is to exclude the Police Force from the provisions of the Act. Originally every civil servant was subject to the Act, the only exclusions being judges and magistrates.

The Minister for Transport: And the railway men.

Hon. Sir CHARLES LATHAM: Yes. They have their own classification board. The Act sets out how promotions shall take place and provides for a right of appeal. The board of appeal consists of a magistrate and a representative of the union concerned and also a representative of the Public Service Commissioner or the Under Secretary for Lands or the representative of such other departments as may be concerned and, in the case of the Police Force, the Commissioner himself.

The Bill seeks to amend Section 3 of the Act by adding after the word "Arbitration" in the interpretation of "Employee" the words—

> or the Commissioner of Police, or inspectors, sub-inspectors or other officers of police, or non-commissioned officers or constables or other members of the Police Force.

What is proposed, according to the speech of the Minister, is that the Commissioner shall make a recommendation as to promotion and that shall appear in the "Police Gazette." Then there is the right of appeal, and the board of appeal is to consist of the Commissioner and every inspector of police except the man at Broome, who has been excluded.

Hon. A. L. Loton: Does it say, "shall consist"?

Hon. Sir CHARLES LATHAM: Yes. That means that the appeal is from Caesar to Caesar.

The Minister for Transport: The exclusion with regard to Broome was on the score of expense of travelling.

Hon. L. A. Logan: He has two inspectors and himself.

Hon. L. Craig: There are seven or eight inspectors, are there not?

Hon. H. S. W. Parker: There are 10 or 11.

Hon. Sir CHARLES LATHAM: That is so.

Hon. L. Craig: They constitute the board.

Hon. Sir CHARLES LATHAM: Let us examine that point of view. Is it likely that any inspector looking for promotion to higher rank will go against the Commissioner?

Hon. L. Craig: That is a very poor outlook.

Hon. Sir CHARLES LATHAM: It is not. It is a very natural outlook. I know it only too well. The hon. member has a very short memory or he would recall the confusion that occurred in the Police Force a little while ago as the result of an action taken by a member in another place.

Hon. L. Craig: A very foolish action, too.

Hon. Sir CHARLES LATHAM: Never mind that! A Royal Commission was appointed to inquire into police matters. I do not want that kind of thing to happen again. I have the greatest respect for our Police Force. If we do not have respect for it, we will be in a very bad way. Later in his speech, the Minister stated that the Minister for Police would have the right to veto the finding of the appeal board if that was recommended by the Commissioner.

So if we give effect to this proposal we will have the Commissioner recommending promotion; and, in the event of an appeal, the case will be heard by the Commissioner and the inspectors, and then the Minister need take no action unless it is recommended by the Commissioner. Let us be honest and fair about this. Let us give authority to the Commissioner himself to make a promotion, from which there is no appeal.

Hon. L. Craig: That would suit me.

Hon. Sir CHARLES LATHAM: Yes, of course! But it will not suit the police, and it has never yet suited any of our people who have been employed by others.

Hon. L. Craig: Do not be silly! What about the Army?

Hon. Sir CHARLES LATHAM: Oh, the Army! What a wonderful interjection that is! Not long ago people were forced into the Army.

Hon. L. Craig: What has that to do with it?

Hon. Sir CHARLES LATHAM: Are people given the right of appeal when they have been conscripted?

Hon. L. Craig: What are you talking about? You are getting right off the track.

Hon. Sir CHARLES LATHAM: I am only answering the hon. member. In the last oversea conflict there was a conscript army.

Hon. L. Craig: I am talking about promotions.

Hon. Sir CHARLES LATHAM: The hon. member is talking about the military side of things. There are a lot of things that suit the hon. member that do not suit me. I know he will say I have a poor outlook.

Hon. L. Craig: You have not given me any reply.

Hon. Sir CHARLES LATHAM: I am not going to give the hon. member any reply, either, because he is incapable of taking my reply. My age has told me—I am a little older than the hon. member—

Hon. L. Craig: Only in appearance.

Hon. Sir CHARLES LATHAM: I know human nature better than the hon. member does. I know there is a feeling on the part of people when promotion takes place over their heads. They have a grievance.

Hon. L. Craig: That always happens.

Hon. Sir CHARLES LATHAM: At all times we have attempted by legislation to give such people a right of appeal, but I do not want that appeal to be from Caesar to Caesar. I would rather give the Commissioner entire control and say to him, "You can pick out the man you want to promote and there shall be no right of appeal." That would suit Mr. Craig.

Hon. L. Craig: It is not a bad way, either.

Hon. Sir CHARLES LATHAM: But, of course, it would not last very long.

Hon. L. Craig: You said you would like it.

Hon. Sir CHARLES LATHAM: The Police Force itself asked to be brought under the Act as it stands. I have no fault to find with that. We have such a lot of confidence in magistrates! I listened attentively the other night to speeches that were made as to how they were not influenced by anything but justice. But now we are going to take away the right of a magistrate to act as chairman of this appeal board.

Hon. E. M. Heenan: You did not believe the argument?

Hon. Sir CHARLES LATHAM: I did. I do not for one moment suggest that we should remove the magistrate from the board. Not on your life! The ordinary layman sitting alongside a magistrate would be influenced by the man with the better training. If he was not so influenced, he would be puffing himself up. If I were on the bench with a magistrate I would be concerned to know his views and they would influence mine, though I would reserve my right to be heard. I do not think we should allow the magistrate, with all his training and knowledge, to be taken off the board of appeal. We should not make a farce of the appeal by saying that the only appeal is from the promotion board to another board consisting of a few more inspectors, because a police inspector, looking ahead, is going to say, "If I fall out with the Commissioner, my chances of promotion will not be great," and consequently he will not go against the views expressed by the Commissioner.

Only a very daring man would oppose the views of his chief, and there are very few such people. Under the Bill the Minister cannot veto the decision of the board except on the recommendation of the Commissioner which means, in effect, that the Commissioner and his inspectors will become an authority unto themselves and in that way we will take away not only the power of Parliament but also that of the parliamentary executive.

Hon. L. Craig: Who, except the executive officers, should run the Police Force?

Hon. Sir CHARLES LATHAM: I am not talking of running the Police Force but am dealing with the promotion of police officers.

Hon. L. Craig: What is the difference?

Hon. Sir CHARLES LATHAM: Let the hon. member find out for himself. This is a question of the promotion of police sergeants and inspectors.

Hon. L. Craig: It affects the whole running of the Police Force.

Hon. Sir CHARLES LATHAM: All we are dealing with is the promotion of constables, sergeants and inspectors, and it will be a brave man that will go against the views of his Commissioner, because the Commissioner can demote him.

Hon. L. Craig: And he should have that power.

Hon. H. Hearn: Mr. Craig will tell you what happened in Egypt, directly.

Hon. Sir CHARLES LATHAM: I recall the recent experience of trouble in the Police Force, and I want to see the dissatisfaction that remains cleared up.

Hon. L. Craig: There is always dissatisfaction in the Army, and you know it.

Hon. Sir CHARLES LATHAM: I belonged to the 16th Battalion, where there was no dissatisfaction, because we always had good officers. I want to see that apply to the Police Force.

Hon. H. S. W. Parker: That has nothing to do with the Bill.

Hon. Sir CHARLES LATHAM: I ask members to put themselves in this position and ask themselves whether they would like a reasonable and fair right of appeal if they felt they had not been given due promotion.

HON. L. CRAIG (South-West) [5.35]: This is a measure to determine who shall have the power of promotion and who shall run the Police Force. Of course there are aggrieved officers in the Police Force, just as there are in the Army, because it is inevitable that the inefficient man feels aggrieved when he is not promoted. Who is better qualified to promote members of the Police Force than those who have watched their work since they joined the force? The only proper way to promote people is to watch the efficiency of their work.

It is not right that promotion should be decided by a magistrate who goes only on the evidence of other people as to whether the man concerned should be promoted according to seniority, and so on. If we are to get into the Police Force good types of men, we must give them some hope of promotion; and promotion should be decided on achievement, skill and ability.

Hon. G. Bennetts: It is often achieved by crawling.

Hon. L. CRAIG: We must get away from the right of promotion through service. I view the Police Force on very much the same basis as the Army. In the Army and the Police Force there are often men who are good fellows but who are totally lacking in ability. Under the Bill the man selected for promotion would be he who showed initiative and proved that he was capable of accepting responsibility. In industry promotion is decided by those who know the employees and can pick out the outstanding man. They pick the man that they know will make a good executive officer, and that is what should apply in the Police Force. The Bill is an earnest attempt to run the force properly, and I hope the House will agree to it.

HON. H. S. W. PARKER (Suburban) [5.40]: I have had a lot of experience in this matter, having appeared for the police on the appeal board and having been Minister for Police, in which capacity I had dealings with both the Police Union and the then Commissioner. Sir Charles Latham's submissions had nothing to do with the Bill. The procedure under the Police Act and regulations at present in relation to promotion must be gone through. When an officer is promoted a certain time has to elapse, during which period any dissatisfied officer has the right of appeal to the Commissioner and the inspectors.

When that time has expired the appointment is made by the Governor-in-Council or, I think it could be said, by the Minister or the Commissioner, according to the procedure laid down under the regulations. The procedure is that they advertise a vacancy and officers apply and the Promotions Board then selects the candidate that it thinks most fitted for promotion. Anyone senior to that officer has the right of appeal to the board of inspectors presided over by the Commissioner. That board decides whether the appeal is to succeed or otherwise.

An unsuccessful candidate then has the right of appeal to the Government Employees' Promotions Appeal Board, which is presided over by a magistrate and on which the Police Union and the Commissioner of Police each have a representative. I have always felt that that particular appeal board of three members was farcical. Subsection (2) of Section 14 of the Government Employees' Promotions Appeal Board Act says—

> An appeal may be made on the grounds of superior efficiency to that of the employee promoted, or equal efficiency and seniority to the employee promoted.

It will readily be understood that the man who is passed over always considers himself more efficient than the successful candidate, but B cannot prove he is more efficient than A and, in practice, no employee who is appealing will come along and make derogatory remarks about the successful candidate. All he does is to say what a fine fellow he, personally, is. Then the representative of the Commissioner says that, on the contrary, the successful candidate is the more efficient, and that is the end of it.

Hon. E. H. Gray: Does he not have to call witnesses?

Hon. H. S. W. PARKER: That has happened in the past and where the Commissioner has been foolish enough to call witnesses they have, on occasions, said that the appellant had not done his duty, and, when the files have been produced, I have seen, during cross-examination, the Commissioner entirely knocked out. I have known of some cases that have been successful but they could not have been if an officer of the Police Department appeared before it and said, "I have had many years' experience of working with these men, and in my opinion there is not the slightest doubt that A. is more efficient than B." That evidence could not be disproved.

Hon. G. Fraser: Promotions in the Postal Department are based on efficiency.

Hon. H. S. W. PARKER: They might be, but in this case they are not. Promotions are based on efficiency, and seniority is taken into consideration, which is worth nothing. Presumably the Police Union has agreed to the Bill. I can only say "presumably," because if it had not done so, I feel sure—

The Minister for Transport: It has agreed to it.

Hon. H. S. W. PARKER: Has it? I felt sure that it must have, because I have acted for many policemen in my professional capacity and some of them would have told me if they had not agreed with this legislation. The promotions appeal board as constituted today is of no value at all to a policeman. The Bill is not interfering with the Police Act or regulations dealing with promotion. In effect, it merely states, "If the Commissioner decides an appointment, an unsuccessful candidate will have no right of appeal." That is all it says, and in practice it means nothing.

How can the board disagree with any evidence put before it, as I have previously outlined, when the only contradictory evidence that the appellant would be able to submit would be to say, "I am more efficient than B."? The board would only be relying on his word. The successful appointee does not appear before the board and say, "I am more efficient than the unsuccessful candidate," because he is not a party to the appeal. In all the cases with which I have been associated, not once has an appellant said one word against his co-worker who has been appointed to the position.

Hon. E. H. Gray: Has there ever been any successful appeal?

Hon. H. S. W. PARKER: Of course. Strangely enough, in one case the Commissioner went into the witness-box and gave as his reason why one man was not as efficient as the appointee that he had done so-and-so, which he considered was wrong. The Commissioner had not promoted this man because when he was stationed at Busselton during the war when there were many hundreds of airmen stationed there, he had not signed off at a certain time, a duty he was required to fulfil. One can imagine what that township was like with all those servicemen stationed there.

Hon. A. L. Loton: Did it wake up?

Hon. H. S. W. PARKER: It did more than wake up. It was also stated by the Commissioner that on one occasion this unsuccessful candidate had not lodged a return. The board came to the conclusion that the appellant was a most efficient officer, because during his stay in Busselton there had been no riots or trouble and it therefore decided that he was equally as efficient, if not more so, than the appointee. Had that man gone into the witness-box and said, "In my opinion I am more efficient than the appointee," it would have carried no weight.

I am not surprised at the desire of the Police Union to be free of this board because it only puts its members to a lot of expense. At present, a policeman who is superseded is placed in an unfortunate position because if he complains in any way he is told, "Go to the appeal board," which is merely putting him to useless expense, because an appeal is seldom successful. The successful appeal which I outlined happened a long time ago.

Hon. G. Bennetts: If they so desire, policemen can appeal under this Bill.

Hon. H. S. W. PARKER: No, they cannot. The board is of no use at all, and I do not wonder at the union not wanting it to be retained. It may be that in the future members of the organisation will come under the police regulations, but they have nothing to do with the Bill before us.

HON. G. FRASER (West) [5.51]: Like Mr. Craig, I ask members to give serious consideration to the Bill. If they do, I am sure they will reach an entirely different conclusion from that arrived at by Mr. Craig and Mr. Parker. In my opinion, the Bill is bad, especially in these days when we are endeavouring to create a better relationship between employers and employees. When I say, "employers", I include the Commissioner of Police in that term because, in effect, he is an employer. The Bill appears to me to be achieving the same effect as does a crab—going backwards. Some years ago, the police organisation had a somewhat similar board to that which this Bill seeks to establish.

Hon. H. S. W. Parker: The Bill proposes to take the police away from the jurisdiction of the Government Employees Promotions Appeal Board.

Hon. G. FRASER: That is so, but some years ago they had a board similar to that which will be created if this Bill is passed. It caused so much dissatisfaction in the Police Force that for many years its members agitated for the appeal board which is in existence now. Since the police have come under that board, I have not heard one complaint from any of them about its activities. We now find that the Government wants to revert to the old method.

The Minister for Transport: The union is asking for it, not the Government.

Hon. G. FRASER: I will deal with that point later. Like the crab, the Bill is going back to something which was in existence years ago. Mr. Parker would try to make out that the board is of no use and he made other such derogatory statements about it. For many years I worked in the Commonwealth Public Service, and we operated under a board somewhat similar to that which hears appeals by members of the State Civil Service.

Hon. H. S. W. Parker: That was not an appeal board.

Hon. G. FRASER: The board was based on practically the same lines as what is proposed in the Bill. Promotions were based on seniority, efficiency and any other qualifications.

Hon. N. E. Baxter: Efficiency would be the first consideration.

Hon. G. FRASER: Yes, but not in all instances. If it had not been for that board, there would have been great trouble in the Civil Service. The employees had confidence in it because they considered that their interests would be safeguarded by it. The board comprised a chairman, a representative of the employers and a representative of the employees. The appellant knew that when he made an application to the board for his case to be heard, he had someone on it who knew his troubles and he was therefore confident that his case would be properly considered.

If this Bill becomes law, however, what chance will an appellant have when the board is under the chairmanship of the Commissioner of Police, who is responsible in the first place for recommending the appointment against which the appellant is appealing? What justice could a man expect from a board of that description? The men sitting on that board might be the most conscientious in the world, but would they have the will power—

The Minister for Transport: Certainly.

Hon. G. FRASER: —to overrule the decision of their Commissioner, who is their immediate head?

Hon. H. L. Roche: It does not make sense.

Hon. G. FRASER: Of course it does not. I cannot understand any Government or Minister introducing a Bill to make a change from what is now an independent board—and a competent one at that—to one that is to be comprised of members of the Police Force. I cannot understand a Minister putting up that proposition and expecting members to accept it. Mr. Parker, as a result of what he said, was told by the Minister that the union had agreed to the Bill. We know that many things are agreed to and many decisions are made by unions. I would like to ask members if they would accept a decision made by the ironworkers? How often have we heard the statement that the ironworkers are dominated by the communists?

Hon. L. Craig: Do you think the police are?

Hon. G. Bennetts: They would be dominated by the Commissioner.

Hon. G. FRASER: We have heard it said time and time again, not only about the ironworkers but also about workers in other industrial organisations, that the majority of them are dominated by their communist executive officers, and that workers are afraid to attend meetings and say what they think.

Hon. L. Craig: Do you say that about the Police Force?

Hon. G. FRASER: It is possible that it is in a similar position in that there might be senior policemen who are officers of the union who would prevent an ordinary rank-and-file member putting up a certain proposition.

Hon. L. Craig: You do not think the rank-and-file dominate the union?

Hon. G. FRASER: In some instances, no. I do not know about this one. I am merely suggesting that many other organisations are dominated by a faction. I did not say that this union is dominated by high officials in the organisation; but it might be. We must remember, too, that we have been told that the Police Force is a semi-military body. If it is possible for a faction to dominate an organisation, which is not semi-military but is comprised of ordinary individuals, how much easier would it be where such a faction is in a semi-military organisation? The decision of the union does not carry much weight with me.

Hon. L. Craig: Not even the party?

Hon. G. FRASER: I do not care what the party thinks about it; I am giving my own opinion. I have not discussed it with the party.

Hon. E. H. Gray: What party?

Hon. G. FRASER: Therefore I do not know what its opinion is. It is quite possible that some domination by certain members has resulted because of the decision of the union to support the Bill. I cannot understand any free man being dominated by any faction, but unfortunately it does occur, and I believe that this is one instance where it has occurred.

I cannot understand the attitude of the Police Union. As a matter of fact, I have my doubts as to whether this matter has ever been considered by the union as a whole. I know it has been said that the secretary of the organisation made a statement regarding the union's support of this move. It has to be remembered that many officials have got into hot water with the members of their organisations because of statements they have made.

Hon. L. Craig: Does that include the Labour Party?

Hon. G. FRASER: Yes. Members of the Labour Party are just ordinary individuals, like anyone else. I do not attach any significance to what the Minister said when he told the House that the secretary of the union had advised the Government along certain lines. I believe the present setup of the appeal board is ideal. I have had many years of experience in connection with bodies of that description. I acted as the employees' representative on the Commonwealth Service Appeal Board for many years.

Hon. H. L. Roche: Was that a good one?

Hon. G. FRASER: It was a very good one.

Hon. L. Craig: Did you dominate it?

Hon. G. FRASER: No. I can make that claim honestly. Furthermore, I remind members that there has been very little, if any industrial unrest in the Commonwealth Public Service. That has been because satisfactory appeal boards have been set up to which employees could appeal. They could approach such boards with confidence, because they had a representative on it who could advise them in various directions. They knew that when their grievances or claims were discussed, they would have someone on the board to represent them; and consequently their angle would be placed before the other members of the tribunal. Such a state of affairs lends confidence to those who desire to make submissions to the board. In my opinion, the Government has taken a very wrong step in this matter. I want to save the Government from being confronted with a lot of dissatisfaction that will arise later on.

Hon. H. Hearn: That is very big of you.

Hon. G. FRASER: The Police Force has not always been a happy family. There have been rumblings in the past, but that has not applied in recent years. I suggest that is because an appeal board was available to the men to which they could apply, confident in the knowledge that their

claims would be justly dealt with. Irrespective of the fact that a claim is dealt with on the basis of seniority and efficiency, nevertheless police officers could go before the appeal board, as it has been constituted so far, knowing that they had a representative on it who would stress their point of view when consideration was given to their claims. Although it has been stated that the union has supported the new move, I have spoken to a few constables.

Hon. H. L. Roche: Or did they speak to you?

Hon. G. FRASER: They did not have their note books in their hands, nor did they ask for my name.

Hon. H. Hearn: You have been lucky!

Hon. G. FRASER: I have not met one police officer who said he was satisfied with the appeal board as suggested in the Bill. On the other hand, all were satisfied with the present setup. In view of the good feelings that have existed throughout the Police Force in recent years, we would be very foolish indeed to interfere with that satisfactory state of affairs. I oppose the second reading of the Bill.

HON. G. BENNETTS (South-East) [6.4]: I strongly oppose this legislation. With an appeal board such as that proposed in the Bill, it will be a matter of one-way traffic. What the Commissioner of Police says, will be the end of it. No one else will have the right to say anything about the matter. The Commissioner of Police is chairman of the selection board and he will be chairman of the appeal board on which there will sit all the inspectors available. A police officer will have no hope whatever with regard to any claim he may lodge, unless the Commissioner agrees. In this country we stand for democracy. If we are to adopt the methods suggested in the Bill, we will have a Gestapo regime, similar to that which functioned in Germany.

Hon. L. Craig: Worse than that, surely!

Hon. G. BENNETTS: We will create a situation here like that which applies in certain other countries where the rank and file of the people are not game to stand up against their leaders; and if they are given an opportunity to vote at an election, they are permitted to cast their votes only one way.

If the measure is accepted by this House, it will mean that the rights of police officers that they enjoy now, will be taken from them, and they will not have an opportunity to have appeals dealt with by an impartial tribunal comprising a representative of the employer, one of the employees and an independent chairman. Under the old system when a man went before an appeal board constituted in that way, he was satisfied that his application would be given proper consideration and, irrespective of whether he won or lost his appeal, he accepted the decision and went away more or less satisfied.

I can see no fairness in the setup suggested in the Bill. We know that there are crawlers. I have seen plenty of them. Some will do anything to gain their own ends. We find the same thing in all walks of life, and it applies to politics as well. We know there are some men who will say what they are told to, just for their own ends. The only way to deal fairly with the Police Force is to have an appeal board that will be quite impartial. I hope the House will reject the Bill.

HON. E. H. GRAY (West) [6.8]: The illustration given by Mr. Parker regarding the work of an appeal board was very apt. He told us that he had appeared for the defence of an officer during the war and what the hon. member indicated, presented a strong case for the rejection of the Bill. In the instance quoted by Mr. Parker, it appeared that a first class officer had been done a grave injustice; but, under the existing system regarding appeals, he received justice.

I consider that the late Commissioner, Mr. John Doyle, was the finest officer to hold that position during the last quarter of a century. He was a man of absolute fairness and justice, and a strong administrator. During his term of office he kept in close touch with the rank and file and enjoyed their confidence. On no occasion that I am aware of, did he suggest a change in the procedure regarding appeals. The present Commissioner of Police is also an excellent officer. Over the years he may prove to be as good a man in the position as John Doyle.

In this instance, however, I consider he has made a very grave mistake. For that reason we should reject the Bill. For the life of me, I cannot understand the remarkable change of front on the part of the Police Union. I remember the strong agitation over the years for the establishment of an appeal board, such as that which has operated in the past.

Hon. L. Craig: The change was because the system does not work.

Hon. E. H. GRAY: In my opinion, a Bill of this description could justifiably have been referred to a Select Committee for the purpose of making a full inquiry into the whole subject. I cannot understand the attitude of the union. I would be amazed if there is not some real reason behind the change of front of the organisation. I do not believe the union as a body has debated the matter. The executive may have considered it.

According to a statement made by the Minister in another place, the secretary of the union made some inquiries about it in the country districts. Nevertheless, in view of my keen remembrance of the very active agitation that took place over the

years in favour of the establishment of an appeal board, I cannot understand the present attitude of the union. If we are foolish enough to agree to the Bill it will prove a failure. As Sir Charles Latham and other members have pointed out the appeal in future will be from Caesar to Caesar. The Commissioner of Police will have altogether too much power. I feel confident that if the Bill becomes an Act, in a few months time the Commissioner will be very sorry that he advocated the new system.

We should defeat the Bill at the second reading stage and give the Government an opportunity to reconsider the matter. If it is found that there are strong reasons for the change, legislation could be introduced early next session and the whole position could be thoroughly investigated and the real reasons for the altered system ascertained. With the utmost respect to the police officials concerned, I say that it is in their own interests that we should reject the Bill.

HON. J. G. HISLOP (Metropolitan) [6.12]: I am not in favour of the Bill. I can recall the time when the first measure was brought forward and the part played by those concerned in its introduction. I cannot recollect whether the first Bill was defeated or its consideration deferred. I do remember that the service journals were full of comments about the subject, pointing out how important and essential it was that legislation should be passed for the creation of an appeal board. I have heard no arguments during the debate that convince me there are good reasons for the proposed change. I do not think the proposed board could act in the same disinterested manner as the one that has functioned in the past.

Hon. L. Craig: But such a board would act only on the basis of evidence.

Hon. J. G. HISLOP: We go on evidence in all grades, and I cannot see that the proposed board could do more than act on the evidence tendered to it.

The Minister for Transport: It would require knowledge too.

Hon. J. G. HISLOP: I intend to vote against the second reading.

HON. H. L. ROCHE (South) [6.13]: Whatever imperfections may be associated with the setup of the present appeal board, it seems to me that the proposal in the Bill will do nothing to correct them. The fact that the Commissioner of Police and two senior officers comprise the promotions board and that the Commissioner of Police and all the inspectors, except the one stationed at Broome, will constitute the appeal board, creates what appears to me a rather ridiculous situation. As Sir Charles Latham pointed out, no subordinate officer would dare to say anything or take up a strong stand in opposition to his seniors in those circumstances.

Hon. G. Bennetts: Of course not.

Hon. H. L. ROCHE: In view of the opinions expressed by Mr. Craig, if we were to be actuated along similar lines in our attitude to the Bill, we should adopt the principle that no promotions appeal board is necessary in connection with any branch of the Public Service. To my mind, we have journeyed a good many years from that stage. It is now a matter of ancient history. The principle is now generally accepted that an adequate and impartial appeal board is necessary to deal with such matters.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. H. L. ROCHE: I agree with the inference to be drawn from some of Mr. Fraser's remarks that the Police Union is in a somewhat peculiar position, and is not as well placed to protect the interests of its individual members in matters of this kind as, possibly, are some other unions of employees. I am quite prepared to accept the assurances I have had from certain quarters that considerable concern exists among the rank and file members of the Police Force. My opposition to the legislation largely stems from that fact, and from my belief that the passage of the Bill will increase that concern.

I cannot see that much harm will result if at this stage Parliament fails to pass the measure. I am firmly convinced that if it does pass the Bill as framed, a considerable amount of harm will result. Consequently I hope members will give serious thought to all the implications and to the remarks of those members who oppose the legislation.

There is just one further feature of the Bill I would like to emphasise and that is the fact that the promotions are subject to an appeal board which is peculiarly constituted, and the Minister or the Government of the day would have no control or veto in regard to the decisions of the two bodies established by legislation, except on the recommendation of the chief of the Police Force who will occupy, in my opinion, a dominant position on both boards. That, in itself, is a great weakness, apart from the implications to which I have referred. I shall vote against the second reading.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland—in reply) [7.35]: Members have not quite appreciated what is before them, or they do not remember the text of my second reading speech when I set out clearly how the Bill came to be introduced and what it was designed to achieve. If we accept the recommendations of the Commissioner,

after he had given the matter serious thought, consulted his men and received an expression of opinion in favour of this change in the appeal board, then the objections which members have raised can, if necessary, be the subject of amendments. It is quite competent for the Bill to be amended if members so desire. I repeat for the information of those who perhaps were not here, or who do not thoroughly understand what was said when the Bill was introduced—

Hon. G. Fraser: I think we understood it too thoroughly.

The MINISTER FOR TRANSPORT: Some members did not, I think. The Commissioner of Police was asked by the Police Force to institute this change in the constitution of the promotions appeal board. Before instituting or recommending any change, the Commissioner of Police consulted the union, and the council of the union made a special tour to investigate the views of the members of the Police Force in connection with the proposal to exclude the force from the provisions of the appeal board Act as it now exists, and to set up by regulation a special body which would be more satisfactory to the majority of the members of the force.

Hon. G. Bennetts: Was every policeman contacted, or only certain ones?

The MINISTER FOR TRANSPORT: If we examine the growth of promotions appeal boards and punishment appeal boards throughout the various branches of the Civil Service, we will find they were something new when they were brought into being. The old right that existed was that the employer could hire and fire at his own sweet will, and that right actually preserved two very important incentives to a man doing a job of work—one was the hope of reward; and the other the fear of punishment.

Those are the two prime incentives, but the establishment of promotions appeal boards did away, to a large extent with the recognition of a person's merit. There was, as a result, a tendency for one of these incentives to be greatly reduced. On the other hand, with the introduction of the punishment appeal board, a man could not be punished without recourse to the board in order that the reasons leading to this dismissal could be investigated. As society has developed I think, on balance, the institution of these boards has been a good idea, and the Government would not attempt to interfere with the prinicple involved. It has been pointed out by the Commissioner that the Police Force is rather different from other branches of the Civil Service. It is, as he remarks, a semi-military body, and it is advisable that individual members of the force should have the right to the recognition of advancement and merit.

I was talking to a senior officer of the railways and he said there was a man whose claims to a particular job he had twice overridden. He said that on the third occasion he could not do it again because if the man appealed to the board constituted of a union official, a representative of the Commissioner and an independent arbitrator, the board would uphold the appeal, although, as this officer said, he knew the man was not the sort of fellow who should be in control of men. This is one of the things that an independent magistrate could not know and so would not be in a position to judge.

Hon. G. Bennetts: That would soon work itself out if a man was on trial and proved unsatisfactory.

The MINISTER FOR TRANSPORT: Once these things are done they are not easy to undo. The system is a definite damper on the man who is ambitious and wants to advance himself by hard work and merit. Under this system, if a man desires promotion he has to make application when a vacancy occurs and is advertised in the "Police Gazette." He is examined to see whether he is sufficiently competent and has a knowledge of the law required, and then the board sits to adjudicate on the application. It is true that as the Bill now stands the Commissioner will be the chairman of the selection board, but a man not appointed has the right of appeal against that board's decision. The tribunal to which he will appeal is an entirely different one from the board which appointed him, although the Commissioner is certainly the chairman.

Hon. E. H. Gray: He is in the key position.

The MINISTER FOR TRANSPORT: Maybe, but he has up to eight inspectors on the board with him.

Hon. H. L. Roche: All subservient to him.

The MINISTER FOR TRANSPORT: That is not quite true. They are junior to him, but we must remember that when we have high-level officers who have to work with each other, and have probably known each other for years, an easy feeling exists among them, and there is a frank exchange of opinions. There would, therefore, be no hesitancy on the part of these junior officers to say what they thought and vote as they pleased.

Hon. G. Fraser: In a semi-military concern—oh, no!

The MINISTER FOR TRANSPORT: That can be construed this way, that there are ceremonial occasions and parades in the Police Force when there is necessity for discipline among the rank and file.

Hon. G. Bennetts: If they did not do as they were told, they would be tramped to the bush.

The MINISTER FOR TRANSPORT: That is not altogether true, either.

Hon. Sir Charles Latham: It has been done in the past.

The MINISTER FOR TRANSPORT: Maybe. I think everyone knows the present Commissioner and what a fine fellow he is.

Hon. Sir Charles Latham: We are not dealing with one man.

The MINISTER FOR TRANSPORT: If members realised the sort of chap he is, they would know that he would not bring in something which would cause trouble in the Police Force, if he thought that is what would result. The Commissioner has brought this forward at the request of the force itself. After consultation with the men concerned, he has recommended it in all good faith to the Minister.

Hon. Sir Charles Latham: Many of them do not know anything about it up to date.

The MINISTER FOR TRANSPORT: If members want to amend the Bill in the direction of saying that the Commissioner, while he has the right to sit on the selection board, shall have no right to sit on the appeal board, I am sure the Minister concerned would have no objection.

Hon. H. L. Roche: Will not this tribunal be set up by the regulation?

The MINISTER FOR TRANSPORT: It is provided for in the Bill.

Hon. H. L. Roche: How can we amend it?

The MINISTER FOR TRANSPORT: The hon. member can amend it now.

Hon. Sir Charles Latham: Not in the Bill.

The MINISTER FOR TRANSPORT: The hon. member could have an amendment placed in the Bill which would make is impossible to frame a regulation to that effect. It could be made clear, by an amendment if it was desired, that if the Commissioner sits on the selection board he shall not sit on the appeal board.

Hon. Sir Charles Latham: You want us to use the Police Act in future and not the Government Employees (Promotions Appeal Board) Act.

The MINISTER FOR TRANSPORT: I think the reason why the rank and file of the Police Force have asked for this is that they realise that there are up and coming men in the force who are denied the right of promotion because of the seniority of the men above them. They want to get away from that and have promotions made on merit. That is my opinion of why the Bill has been brought forward.

Hon. Sir Charles Latham: A little while ago they forced men of 60 years of age to retire. Those men had a lot of work in front of them.

The MINISTER FOR TRANSPORT: That may be so, but I am sure that this is the reason behind the Bill. It is a reason of which I heartily approve and it will go further towards clarifying that position than does the present promotions appeal board. If members desire it, they can also alter the provision which states that the Minister, even though he has an overriding power, must be guided by the recommendation of the Commissioner. If that were done, I think it would certainly meet the objections that have been raised by members. I hope that the House will accept the Bill because I really believe it is an improvement on the present setup and will do a tremendous amount of good.

Question put and division taken with the following result:—

Ayes	12
Noes	11
Majority for	1

Ayes.

Hon. L. Craig	Hon. A. L. Loton
Hon. J. A. Dimmitt	Hon. J. Murray
Hon. R. M. Forrest	Hon. H. S. W. Parker
Hon. H. Hearn	Hon. C. H. Simpson
Hon. C. H. Henning	Hon. H. K. Watson
Hon. L. A. Logan	Hon. Sir Frank Gibson *(Teller.)*

Noes.

Hon. G. Bennetts	Hon. A. R. Jones
Hon. E. M. Davies	Hon. H. L. Roche
Hon. G. Fraser	Hon. H. C. Strickland
Hon. E. H. Gray	Hon. J. McI. Thomson
Hon. W. R. Hall	Hon. R. J. Boylen *(Teller.)*
Hon. E. M. Heenan	

Pair.

Aye.	No.
Hon. F. R. Welsh	Hon. Sir Chas. Latham

Question thus passed.

Bill read a second time.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Minister for Transport in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—Section 3, Interpretation:

Hon. G. FRASER: I would like the Minister to report progress to give us an opportunity to draft an amendment.

Hon. H. K. Watson: Do you want to amend it or torpedo the Bill?

Hon. G. FRASER: I do not adopt the tactics of the hon. member who is an expert on torpedoing Bills. I want to think out an amendment, if possible, because this is the only clause where something can be done.

Progress reported, till a later stage of the sitting.

BILL—ELECTORAL ACT AMENDMENT (No. 2).

Second Reading.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [7.52] in moving the second reading said: Most of the amendments proposed in this Bill are of a machinery nature and are submitted for the purpose of facilitating the administration of the principal Act, or of clarifying some of its provisions. Under the principal Act, an aboriginal native of Australia, or a person of half-blood is not permitted to exercise the franchise. The Electoral Office has had some difficulty in deciding whether persons are aboriginals or of half-blood, and to resolve these doubts it is proposed to accept the definition of "native," expressed in the Native Administration Act.

Section 45 of that Act provides for compulsory enrolment for the Legislative Assembly. In its present form, if the Chief Electoral Officer is unaware of the failure to enrol until after 12 months from the date on which a person becomes eligible for enrolment, he cannot institute proceedings against the offender, nor can he enforce enrolment. The Chief Electoral Officer recommends that the section should be amended to bring this provision into line with that of the Commonwealth Act, so as to make the offence of non-enrolment a continuing one, and the Bill provides for this to be done. I would point out that prosecutions for an offence under the Act can take place only within a certain period, and if that period is allowed to lapse without prosecution taking place, no action can lie.

The principal Act provides that the Electoral Office shall be supplied every three months with a list of marriages and deaths. As the Commonwealth Electoral office receives its list monthly, it has been the practice of the Registrar General's office to supply the State office with a monthly list also. The Bill proposes to confirm this very useful practice. Section 58 provides for the superintendent of public charities to furnish a quarterly list containing the names of persons who have been received as inmates of public charitable institutions, and who are wholly dependent for relief upon the State. This section has no application now in Western Australia and the Bill proposes to strike it out.

Furthermore, the Act provides that where a candidate dies on polling day a returning officer shall immediately close the poll. This is not consistent with the provisions for the taking of absentee votes. A provision has been inserted in the Bill that provides that polling places should remain open upon such an occurrence for the purpose of recording absentee votes. Provision is made for postal voting in Legislative Council elections for persons who expect, on polling day, to be more than seven miles from any polling place in the province. It has been found that electors have had difficulty in voting at these elections.

Certain provisions in Section 99A, relating to the manner of handling absent voters' ballot papers, are repealed and reenacted in better manner in a new section to be designated Section 99B, which will also deal with postal vote ballot papers. The Bill proposes that members of the State or Federal Parliaments shall not be permitted to act as scrutineers at a State election; it being thought that it is undesirable that members of Parliament should be in polling booths on election day.

A deputation from the Blind Association recently asked the Attorney General that a blind voter should be allowed to have in the polling booth with him, such person as he should personally select to assist him. This is provided in the Bill in lieu of the present obligation on the presiding officer and the scrutineers to assist the voter. This refers as well to persons other than blind, who are physically incapable of recording votes without assistance.

An important provision in the Bill is that candidates' expenses for Assembly elections shall be increased from £100 to £250. This proposal is actuated, of course, by the reduction in money values. The last amendment refers to Section 142 of the principal Act which refers to the counting of votes by deputy and assistant returning officers. To comply strictly with the Act these officials would have to travel to each polling place to count the votes. This is impractical and the Bill seeks to ratify the practice of counting votes at a counting centre. I move—

> That the Bill be now read a second time.

On motion by Hon. G. Fraser, debate adjourned.

BILL—TOWN PLANNING AND DEVELOPMENT ACT AMENDMENT.

Second Reading.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [8.0] in moving the second reading said: This Bill seeks to place the planning of the metropolitan area under the responsibility of what will be known as the metropolitan planning authority. It is proposed that all matters pertaining to town planning outside the metropolitan region shall be left in the hands of the existing Town Planning Board, strengthened by the appointment of the Commissioner of Public Health as a new member. Ancillary matters in the metropolitan region, such as subdivisions, would also be left to the Town Planning Board.

If the Bill is approved by Parliament the duties of the new metropolitan planning authority will be the planning for the future of the metropolitan region.

The measure defines this region as the area within a radius of 15 miles of the Perth Town Hall, the Governor possessing power to extend that area if need specifically arises for its extension in any direction. The power of the Government and of local authorities to acquire land for public works—while the planning authority is doing its work as provided in Section 32 of the parent Act—is preserved.

The Bill proposes that the Metropolitan Planning Authority shall consist of three persons appointed by the Governor who will possess the necessary ability and knowledge to exercise the responsibility required. One of these would be required to hold a degree in town planning from the University of Western Australia. It is not proposed otherwise to define their qualifications but in the appointments very careful inquiry and selection will be made. Members will hold office at the Governor's pleasure and one of the members will be appointed as chairman. They will not be subject to the provisions of the Public Service Act and for remuneration will receive such allowances as the Governor thinks fit. Subject to the right of the metropolitan planning authority to hold a special meeting without the Town Planning Commissioner being present, the Bill provides that he shall attend every meeting in an advisory and consultant capacity.

The creation of this separate authority has some parallel in the Victorian legislation where powers, which are somewhat similar to those vested by this Bill in the proposed metropolitan planning authority, are exercised by the Metropolitan Board of Works. As there is no counterpart in this State of the Victorian body, it is considered that it would be advisable to create an entirely separate authority to deal with the considerable problems that it will have to undertake.

After the usual machinery clauses dealing with quorum, corporate existence and the like, the Bill goes on to provide that, with the approval of the Minister, the metropolitan planning authority shall appoint a chief executive officer who must possess town planning knowledge, the Minister determining what other staff is to be employed.

The metropolitan planning authority within two years of its first meeting, subject to the power of the Governor to extend that time to not more than three years, is to prepare and submit to the Minister a planning schedule for the metropolitan area. In doing so, it is to take into consideration any regional plan, whether complete or not, which has been prepared or is in course of preparation by the Town Planning Commissioner.

In view of the apparent difficulties associated with the widening of Hay-st., the metropolitan planning authority is empowered to incorporate in the scheme separate provisions relating to this subject, and to prescribe special conditions regarding compensation and betterment, notwithstanding provisions to the contrary contained in the principal Act. The term "betterment" refers to any increase of value caused to any land or property by work done by a local authority. In planning the scheme and the special Hay-st. proposals, the metropolitan planning authority is required by the Bill to confer with all local authorities in the area, all Government departments affected and, with ministerial approval, any other public body.

In view of the far-reaching nature of any scheme that may thus be evolved, the Bill proposes to repose in Parliament great responsibility in that Parliament will speak the final word as to acceptance or otherwise of the schemes proposed. This is done by providing that when the metropolitan planning authority has completed its proposals, it shall submit them to the Minister, who shall publish them with explanatory matter in four issues of the "Government Gazette." Within 40 days of the last publication objections may be lodged, each of which will be considered by the metropolitan planning authority and a decision given in writing.

Within 21 days a person still dissatisfied may appeal to the Minister who shall consider the objections and shall advise both the authority and the objector of his decision. When this has been done, or if by chance there are no objections and the Minister is satisfied, he is to approve the scheme and lay the "Gazette" on the Table of both Houses within six sitting days after the publication. If the scheme has been amended, of course, it will be readvertised as before, and the "Gazette" containing the second advertisement will be the one tabled in both Houses.

Either House, on notice given within 14 sitting days after tabling, may pass a resolution referring the scheme back to the metropolitan planning authority for reconsideration, but such resolution must be accompanied by a statement giving reasons and specifying the parts of the scheme which are objected to. The objections and reasons are then to be considered by the metropolitan planning authority, which may amend the scheme to give effect to all or any part of the points raised in connection with the proposal.

Whether amendments are made or not, a statement of what has been done is to be published by the Minister in the "Gazette," which is again to be laid on the Table of both Houses. Either House may, by resolution, disallow the scheme, but if this is not done, the scheme becomes operative and has the force of law. Thus Parliament has, first, a power to make its views known and, lastly, a great re-

sponsibility—after its objections have been considered—of confirming or disallowing the scheme. If the scheme becomes law, each local authority will be expected within its own ambit to effect the actual works required.

It is clear that some special provision must be made for payment of compensation for land taken—or injuriously affected—by the scheme, and for payment by owners whose property is greatly improved in value by the scheme. This is to be dealt with by the metropolitan planning authority itself, guaranteed by the State.

A further provision is that a fund will be set up into which will be paid the proceeds of a rate to be struck by each local authority, when and for as long as the Governor directs, the proceeds of this rating to be paid to the metropolitan planning authority. These rates will not exceed 1d. in the £ on the annual value and ¼d. in the £ on the unimproved capital value. The metropolitan planning authority will have power to borrow with the approval of the Governor, and the Bill provides that Parliament may appropriate money to the fund.

The proceeds resulting from the betterment clauses will be paid to the fund. "Betterment" can best be described in the words of Subsection (2) of Section 11 of the principal Act which states:—

> Whenever, by the expenditure of money by the responsible authority in the making and carrying out of any town planning scheme, any land or property is, within twelve months of the completion of the work, or of the section of the work affecting such land as the case may be, increased in value, the responsible authority shall be entitled to recover from any person whose land or property is so increased in value, one half of the amount of such increase, if the responsible authority makes a claim for that purpose within the time, if any, limited by the scheme, not being less than three months after the date when notice of the approval of the scheme is first published.

In New South Wales, 80 per cent. of betterment is paid by the owner. The law in this State under the parent Act has been 50 per cent. This Bill proposes to amend that to 66 2/3 per cent., which is considered a reasonable figure. The services of the Taxation Department will be made available to assist the metropolitan planning authority in arriving at values, but claimants will have the right to approach the court, with assessors as provided under the Public Works Act in the final assessment of their claims.

Because of the provisions giving Parliament such wide powers in the settlement of the scheme, and the wide opportunities provided for objection before the final stages are reached, it is proposed that where local authorities have to borrow money to carry out works involved in the scheme, the right of resident owners to demand a poll is to be abrogated. It is considered that it would be most unwise in the circumstances to allow a small number of ratepayers possibly to upset a major part of the scheme by refusing their local authority the right to borrow in respect thereof.

The Bill provides that when in the opinion of the Minister the functions of the metropolitan planning authority in respect of the scheme have been completed, the Governor may dissolve it and vest the remaining responsibilities in the Town Planning Board. In view of a doubt as to whether the provisions of the parent Act bind the Housing Commission in its activities, and because of the obvious need that those activities be co-ordinated and controlled by the Act, it is considered that the Act should apply to the Commission.

In conclusion, I would say that the Bill is aimed at ensuring that a well-prepared, fully-considered scheme for the future development of the metropolitan area shall be prepared and carried into effect by the best possible means and under the best possible advice and conditions. I move—

> That the Bill be now read a second time.

On motion by Hon. H. Hearn, debate adjourned.

BILL—LICENSING ACT AMENDMENT (No. 2).

Second Reading.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [8.15] in moving the second reading said: In August last a deputation representative of churches and of a temperance organisation waited on the Minister for Police with the object of discussing the operation of the principal Act. The Minister suggested to the deputation that it might be prepared to nominate a representative to consider amendments to the Act. To this, the deputation agreed, and in due course the Minister was advised that the Rev. G. A. Jenkins had been appointed as representative of the West Australian Temperance Alliance, the Church of England, Methodist, Presbyterian, Congregational and Baptist Churches, the Church of Christ and the Salvation Army.

The Roman Catholic Church was not represented on the deputation and so the Minister called on His Grace Archbishop Prendiville and discussed the problems with him. His Grace stated that, although his church was interested in all social problems, he would not care to be associated with this matter.

The Minister also approached the United Licensed Victuallers Association, which appointed its president, Mr. S.

Johnston as its representative, and he also obtained the advice of the Licensing Court and the Police Department as to the amendments they considered necessary to the Act. This Bill is the result of the action taken by the Minister.

I quote a letter received from the Rev. Mr. Jenkins and signed by him as representative of the temperance organisation and the religious bodies to whom I have referred. The letter is dated the 27th November, 1951, and reads—

> I have perused the Bill, which was drafted as a result of conferences. While the Bill does not reflect the views of the opposing factions as to what the licensing laws should be, the Bill would, in my opinion, if passed by Parliament, represent a substantial improvement on the existing law, and I recommend that the Bill be introduced as drafted.

The United Licensed Victuallers Association gave qualified approval to the Bill, there being some amendment which it did not favour.

Turning to the amendments, the definition of "local option," referred to in Section 5, of the principal Act relates to a vote cast at a poll under Part V of the Act, which part was repealed in 1922. For this reason, the definition has no application, and the Bill proposes to delete it. The amendment here is merely to clean up the Act.

In a recent case in Perth the magistrate held that "sale" did not include barter and exchange, so that where, on a prosecution for selling liquor during prohibited hours, the defendant pleaded that he had merely exchanged cold bottles for warm ones, the magistrate in a reserved decision dismissed the complaint. In a penal section, "sale" means sale for money and nothing else. This leaves a loophole in the Act which the Bill rectifies.

The Act in its present form provides for a chairman and a deputy chairman of a licensing court and one other member, and requires that either the chairman or the deputy chairman shall be one of the members to constitute a quorum of two. The practice of the Licensing Court, however, is for any two of its members to go to the country, leaving one in Perth, and at times that one will be neither the chairman nor the deputy chairman. The members of the court, therefore, requested an amendment to suit their convenience, to repeal the reference to the deputy chairman and to enable the chairman to delegate his powers to either of the other two members, so that the one left in Perth may, whilst so acting, exercise the powers of the chairman, and the Bill proposes to provide for this.

Section 47 of the principal Act provides that, should a new license be required within any district beyond the number of licenses of the same description for that district as at the 31st December, 1922, a petition, signed by a majority of the electors within a certain distance from the site of the proposed new licensed premises, shall first of all be presented to the Governor. The custom has been for a petitioner to employ canvassers to obtain the necessary signatures to the document. It has been suggested that on a number of occasions signatures have been improperly obtained, or electors have signed the petition merely to get rid of the canvasser. The view of the Rev. Mr. Jenkins was that the system was open to grave abuse and should be abolished.

The Licensing Court also strongly recommended that all reference in the Act to the method of obtaining a license by petition should be excised. It was considered by the court that, if this were done, it would result in—

(a) a considerable saving of work by the Electoral and Lands Departments;

(b) a considerable saving of initial expense to the applicant;

(c) increasing the revenue to the Government.

The Bill proposes to abolish the necessity for a petition, and enable the court to fix a premium in lieu of calling for tenders.

Section 58 at present contemplates that any license held by a woman shall, on her marriage, vest in her husband. Under Section 67, however, a married woman may hold any license other than a publican's general license and a waysidehouse license. The two provisions are inconsistent, and the amendment is to remedy this by altering Section 58 to coincide with Section 67. The alteration will provide that instead of every license held by a woman vesting in her husband on her marriage, only a publican's general license or a waysidehouse license shall so vest.

Part VI of the Act provides that, in every fifth year, a poll of electors shall be taken in every electoral district on the proposal that prohibition shall come into force in Western Australia. A poll under this part was held last year, with the following result:—

Yes	73,361
No	203,954
Informal	7,108

The holding of a poll involves the State, and also all interested parties, in a considerable amount of expense. The last poll made it perfectly clear that by far the biggest majority of the people in Western Australia were not prepared to agree to prohibition. Provision for pro-

hibition, of course, could at any time be provided by legislation, and it is felt that the holding of this poll, under existing conditions is not warranted, and the Bill proposes to delete this part from the Act. If, at any time, public opinion is in favour of prohibition, it will be felt through members of Parliament, and legislation on the matter could be introduced. I might add that the Rev. Mr. Jenkins did not agree to the deletion of this provision, but strongly pressed for either local option or for provision for a prohibition poll on a majority basis.

Section 111 of the Act makes provision for licensees on naval or military service to be absent from licensed premises, but makes no reference to the Air Force. The Bill proposes to include the Air Force in the provisions of the section.

The principal Act provides a penalty of £50 for a first offence and £100 for any subsequent offence, where a licensee sells liquor or permits it to be consumed on his licensed premises on any Sunday, Anzac Day, Good Friday or Christmas Day. It is thought that in these days these penalties do not constitute a sufficient deterrent, and the Bill therefore proposes to increase them to £100 for a first offence and £200 for each subsequent offence.

I now come to the most important provision in the Bill. Section 122 of the Act provides that no licensee shall keep his premises open for the sale of liquor, or sell or permit liquor to be consumed on his premises upon any Sunday, Anzac Day, Good Friday, or Christmas Day. There is an exception to this in respect of a bona fide traveller. Under the Act, a person is not deemed to be a bona fide traveller unless he has travelled 10 miles from the place where he lodged on the previous night, and unless the place where he demands to be supplied is elsewhere than within an area bounded by a circle having a radius of 20 miles from the Perth Town Hall.

It is common knowledge that for many years, the provisions of this section have not been enforced in some parts of the State. I understand that trading is permitted to be, and is, carried out on Sundays in Kalgoorlie and Boulder between the hours of 9 a.m. and 6 p.m., no bottles being sold after 1 p.m.; and at Collie between the hours of 11.30 a.m. and 12.30 p.m., and 5 p.m. and 6 p.m. The responsibility for the introduction of the practice that now exists at Kalgoorlie and Collie appears to have been lost in the passage of time. For very many years it has been carried on with the authority of the Commissioner of Police for the time being, with the concurrence of the Minister.

In addition, it is well known that in many country centres a practice of having what are known as "Sunday sessions" has arisen. The regulation of this practice apparently depends upon the whims of the local policeman, who administers this practice according to his own personal views. Recently a Gilbertian situation arose where a barmen's union applied to the Arbitration Court for provision to be made in its award to deal with hours worked by members on Sundays, when they were prohibited from so working by the Licensing Act. The whole situation tends to bring the law and the administration of justice into disrepute.

It is most difficult to condone such flagrant breaches of the law, and it is mainly for this reason that the Bill is submitted for the consideration and decision of Parliament. The proposals in the Bill, which have been agreed to, although reluctantly, by the churches, take a realistic view of circumstances which have existed for very many years. There is one factor I would mention. Although the Act provides that, so far as the Goldfields area is concerned, the hours may be increased or decreased on the recommendation of the Licensing Court, no steps have ever been taken to obtain authority for the increased illegal hours that have been permitted by Government instruction for so many years.

The provisions of the Bill will permit the sale of liquor or the consumption of liquor on Sundays on hotel premises by—

(a) the licensee or a member of his family, or an employee of the licensee living on the premises, or a lodger, provided no such liquor is taken away from the premises.

(b) any person being served with a meal on the premises in a room set aside for the purpose, between the hours of 1 p.m. and 2 p.m., and 6 p.m. and 7.30 p.m., if the liquor is being consumed with the meal; or

(c) any person on a Sunday, not being Anzac Day, Good Friday or Christmas Day, provided the premises are the subject of a publican's general license or a wayside house license.

(i) if the premises are outside an area bounded by a circle having a radius of 20 miles from the Town Hall in Perth, and

(ii) the liquor is sold and consumed between the hours of 12 noon and 1 p.m., or the hours of 5 p.m. and 6 p.m., and the liquor is not sold by the bottle or in a bottle.

It is optional whether the licensee does or does not supply liquor on Sunday. The provisions of the Act relating to bona fide travellers are amended. The sections relating to bona fide travellers were in-

troduced into the licensing laws in the days of the horse and buggy, when travelling of a distance of 20 miles was something not lightly undertaken and took several hours to perform. Today, with modern roads and motorcars, it takes somewhere about half-an-hour to cover the distance, and the conditions under which the bona fide traveller provisions were introduced no longer exist. As a result of that, this provision in the Act is in some cases open to abuse.

The Bill, as originally introduced in another place, proposed to repeal the law relating to bona fide travellers. This, however, was not acceptable, and the Bill was amended by another place, with the approval of the Minister for Police, to provide that a bona fide traveller may not obtain liquor unless he has travelled at least 50 miles from the place where he lodged on the previous night. The Act at present stipulates that this shall be 10 miles, but, as I have said, this distance was specified in the days when horse-drawn vehicles or bicycles constituted the method of progress. The provision in the Act that a bona fide traveller may not obtain liquor within a radius of 20 miles from Perth has not been altered.

The Government is constantly receiving complaints about drinking that takes place in the vicinity of dance halls, football grounds and other public places. At present there is no authority to prevent this practice, unless the conduct of the parties concerned amounts to disorderly conduct. Conduct may be very unpleasant while not actually disorderly. The Bill proposes to prohibit the consumption of liquor on public roads, reserves and sports grounds. It also prohibits the consumption of liquor on private property within 20 chains of a dance hall without the permission of the occupier of the land. This last provision is to prevent people in the vicinity of dance halls going on to private grounds and consuming liquor there without the consent of the owner or occupier. The penalty for offences of this nature is £20.

Section 147 deals with the penalties for selling liquor to persons under the age of 21. The present section is limited to sale by licensees or their agents. As members are aware, however, the owners of vineyards who make wine are not obliged to be licensed, and there is nothing to prevent their selling liquor to children at the present moment. The Bill proposes to prohibit the sale by owners of vineyards to persons under the age of 21 years.

Betting on licensed premises by the licensee or his servants is prohibited under Section 165, which further provides that a licensee is responsible if he permits betting to take place on licensed premises. A member of the public, however, commits no offence if he bets on licensed premises. Therefore, the whole responsibility in this connection is at present placed on the licensee. The Bill proposes to prohibit a member of the public from betting on licensed premises.

Section 177 of the Act provides that licenses may be forfeited under certain circumstances, amongst others where the licensee is absent from the licensed premises for more than 28 days; fails to maintain such premises and accommodation thereof at the standard required; allows such premises to become ruinous or dilapidated; is of drunken or dissolute habits; or suffers licensed premises to be used for immoral purposes. These provisions, however, are limited to a publican's general license, a hotel license or a wayside house license. The Licensing Court considers the provisions should apply to the holders of Australian wine licenses, Australian wine and beer licenses or Australian wine bottle licenses and the Bill makes provision for this.

The Licensing Court has pointed out that the provisions dealing with the granting of club licenses are unsatisfactory, and that no discretion for the granting or renewal of a license is vested in the court. The court considers that it should have these discretionary powers. It also feels that before a license is granted a club should become properly established. The Bill proposes to require that a club shall have been in existence for six months before it can apply for a license, and that the court shall have discretionary powers in dealing with club licenses similar to those with reference to other licensed premises.

Clause 24, which deals with Section 186, makes provision for extraordinary or honorary members. As members know, clubs on occasion hold functions such as dances, to which large numbers of people are invited. Application for permission in such cases has now to be made to the Licensing Court, and the Bill proposes to give authority to delegate this power to any member of the Licensing Court, resident magistrates or the clerk of the Licensing Court. Members will appreciate the inconvenience caused to country clubs situated at great distances from the metropolitan area through having to make application to the Licensing Court itself.

With regard to clubs, the Bill provides that liquor may be sold or supplied to and consumed by—

(a) any bona fide lodger or employee of the club living on the premises;

(b) a person served with a meal in a room set aside for the purpose between the hours of 1.30 p.m. and 2.30 p.m., or the hours of

6.30 p.m. and 7.30 p.m., provided the liquor is consumed with the meal;

(c) on a Sunday, not being Anzac Day, or Christmas Day, and on Good Friday, if the liquor is not sold by the bottle or in a bottle, and if the liquor is sold between the hours of 11.30 a.m. and 1.30 p.m., or 4.30 p.m. and 6.30 p.m., or, in lieu of the periods between such hours, in relation to any particular club, between such other hours representing two periods each of two hours and separated by at least three hours, as the Court, on the application of the club, may from time to time determine.

It will be noted that a longer period has been provided for clubs than for hotels. It is well known that certain sporting and other clubs in the metropolitan area, and elsewhere, have for very many years been permitted to supply liquor to their members on Sunday.

I would refer the House to some of the sporting clubs in Perth, and also to some of the non-sporting clubs which exist at Fremantle, Collie and other towns. The Bill is realistic and only recognises practices that have been permitted for very many years, but it considerably reduces the hours previously permitted. I move—

That the Bill be now read a second time.

HON. N. E. BAXTER (Central) [8.37]: I have perused the Bill fairly thoroughly. There are one or two small amendments that I am not particularly taken with. But, before discussing them, I would like to make a few remarks on the general amendment of the Licensing Act, and particularly the position of the railway refreshment rooms, which are controlled by a Government department. The Bill does not propose to bring those refreshment rooms entirely under the Licensing Act, which leaves scope for many abuses in regard to liquor sales. I am afraid that in a few parts of this State, liquor has been carried off from that source. I am pleased the Minister is here tonight to listen to my remarks in that connection.

As the majority of members know, the hours for railway refreshment rooms are elastic, inasmuch as liquor may be sold within any reasonable time of the arrival and departure of trains. What is more, in respect to certain other aspects of these refreshment rooms, control is practically in the hands of the Railway Department. I do not intend to imply that those concerned would try to do anything wrong, but there are instances of overzealous managers who have actually contravened the law applying to licensed houses and, under this setup have got away with it. I hope that next year the Government will give consideration to bringing all sources of liquor sales under this Act and the control of the Licensing Court.

Hon. H. C. Strickland: Including the parliamentary bar?

Hon. N. E. BAXTER: We will leave that to the Government to decide. The first part of the Bill about which I have to complain is the amendment to Section 122. It is proposed to repeal Subsection (2) and substitute the following:—

(2) But this section shall not prohibit the sale of liquor to, or the consumption of liquor by—

(a) the licensee, a member of his family, an employee of the licensee living on the premises, or a lodger, provided no such liquor is taken away from the premises.

That is a very hard restriction to impose on people who make licensed premises their home. The ordinary person can buy two, three, four, five, a dozen or two dozen bottles, take them home and put them in a refrigerator outside the prohibited hours, and then he can take them to a friend's place to consume them during a friendly chat or a game of cards. But under this provision, a licensee or anybody lodging in a licensed house is precluded from doing that. Licensed premises are the licensee's home and the home of his family and, in many instances, the home of his employees, and often the lodger's home, if not for good, at least for quite a time. This is a very stringent provision, and I intend to move in Committee that certain words be deleted.

The Minister for Transport: It is intended to reduce the consumption of liquor.

Hon. N. E. BAXTER: The small reduction in consumption, which will be effected by this provision, will be hardly worth considering.

Hon. L. Craig: Supposing each of his employees took away a case of beer?

Hon. N. E. BAXTER: I think we could leave that to the licensee's discretion. Licensees are fairly reasonable people. The hon. member is referring to trafficking.

Hon. L. Craig: That is what we are trying to stop.

Hon. N. E. BAXTER: No licensee is going to bother about trafficking in this connection. If he wants to traffic, he can sell bottles on Sunday. I have had experience of this, and licensees have refused to sell bottles on Sunday to people who they knew would traffic in them. A licensee would soon clamp down on an employee who he discovered was taking away bottles and trafficking in them. Licensees will not lay themselves open to that sort of thing. I do not know whether members

of this Chamber would like an amendment to the Act to preclude them from taking two bottles of beer from their homes to a friend's place.

There is another matter which I would like to take up, and that is the reference to Sunday trading hours, these having been fixed at from 12 noon to 1 p.m., and from 5 p.m. to 6 p.m. As the majority of members are aware, it has been the practice in country areas for drinking sessions to be held on Sundays, with the permission, more or less, of the local police officer; and this has worked very well, except that the licensee and the police officer, and even the person drinking, have felt a certain amount of guilt over the fact that they were doing something illegal.

I commend the Government for introducing this amendment. It gives country people an opportunity to have a drink on Sunday when they have travelled long distances when going to or coming from a sporting fixture. They have not the facilities there that are enjoyed by people in the cities and they lack the beaches and opportunities for recreation, such as fishing, in the majority of such places. This privilege makes up, to some extent, for other amenities that they miss. I feel however, that a single hour is not sufficient and when the Bill is dealt with in Committee I will move an amendment to have the time extended to one and a half hours. I support the second reading.

HON. L. CRAIG (South-West) [8.46]: I do not pretend to understand the ramifications of the whole of the Bill, but will give the House my views on Sunday trading. We are reaching the stage where something that has been looked on as a luxury is coming to be regarded as a necessity, and it would appear that our people are beginning to think that they cannot do without beer on one day in the week. I believe it would have a bad effect on the community if we made Sunday drinking legal. I admit that the practice is current, but it is being indulged in by people who do not mind breaking the law. If Sunday drinking is legalised in hotels within certain hours, it will encourage many people who do not now indulge, because they do not like breaking the law, to go down and have a few drinks.

Hon. E. M. Heenan: Do you not think it is worse to go on as we are and tolerate the flouting of the law?

Hon. L. CRAIG: No. If Sunday drinking is made legal, it will be indulged in by many people who do not now bother about it because they are of the type that feels a bit ashamed to do something that constitutes a breach of the law. To grant this concession would be encouraging a degree of laxity that is not good for the people generally. Discipline is good for everyone, and I think that going without intoxicating liquor on Sundays is, for the community in general, like the practice of going without meat on Fridays in the case of members of the Catholic faith. It is a form of discipline that is perhaps good for them.

To legalise Sunday drinking—though it occurs in places such as Kalgoorlie and Collie—would have a bad effect on the community. We know that it does occur at present but so long as it is done in a quiet way nobody seems to take much notice of it. We should do nothing to lower the moral tone of the community in this regard. Many of our young people today would feel a bit ashamed to be seen hanging around a hotel on Sunday because they would know that they were breaking the law in doing so. By legalising Sunday drinking, I believe we will be inserting a wedge that will gradually expand and sooner or later pressure will be brought to bear to extend the hours.

Hon. Sir Charles Latham: Hotels are open for a considerable period on Sundays in Great Britain and that practice has not had the ill-effects that you visualise.

Hon. L. CRAIG: Nothing that I saw in England shocked me more than the sight of women and children in and around the pubs with jugs of beer in their hands. I thought it was a disgrace.

Hon. Sir Charles Latham: All our newspapers these days publish pictures of young women with glasses in their hands.

Hon. L. CRAIG: In England there can be seen, outside the bar doors, prams with young children in them and often children are seen with jugs in their hands.

Hon. Sir Charles Latham: It is the same here.

Hon. L. CRAIG: No, it is not. As I have said, the sights I saw in England shocked me and I was disgusted.

Hon. H. L. Roche: Perhaps they were a bit too advanced for you.

Hon. L. CRAIG: One is impressed either favourably or unfavourably, and I was disgusted with the laxity in London with regard to drinking. We are far ahead of Great Britain in some of our social legislation. As a matter of fact, England is beginning to copy us in some respects. It is hard to make a speech on this subject.

Hon. Sir Charles Latham: Obviously.

Hon. L. CRAIG: There is a loosening of the moral fibre evident among our people, and I do not think we should make legal everything they want.

Hon E. M. Heenan: It will not apply to the City of Perth.

Hon. L. CRAIG: No, it will apply everywhere else; and I do not see why, if a person living a mile the other side of Armadale can get a drink on Sunday, a person living one mile this side of that centre should not be permitted to do so. My argument may not be strong but the reasons behind it are strong and, I believe, right. We should not let the people do everything they desire to do, because there is evident a weakening of our moral fibre. I do not know much about the rest of the Bill but I am opposed to the principle of Sunday trading. We should not encourage our people to go to the pub at 10 o'clock on a Sunday morning.

Hon. Sir Charles Latham: It is 12-o'clock.

Hon. L. CRAIG: At all events I cannot agree to the principle of Sunday drinking.

HON. H. S. W. PARKER (Suburban) [8.55]: This measure is long overdue and I feel that those who apparently are opposed to the liquor traffic should also welcome it because at present our liquor laws are entirely out of control and are not being policed. I agree that they are outmoded and should be straightened up. I trust that the Bill—if and when it becomes law— will be strictly enforced.

We all know that in the past the police in country towns have fixed certain hours for Sunday drinking and it is remarkable how well the people have obeyed what has been laid down in that respect. I believe that the orderliness of Sunday drinking in such places shows that what the people desire is to see the law enforced. We know that members drink on Sundays in sporting clubs in the metropolitan area, though it is against the law. It is an unpleasant position to be in to feel that a constable may arrive at any moment and take one's name for a breach of a law such as that.

The practice of Sunday drinking, which is approved of by the vast majority of our people, should be legalised. I commend the Bill to members as it stands, and I believe that it would rule out the possibility of the alleged practice of some consideration passing between certain parties in relation to the terms on which Sunday trading is allowed. There would be no room for any allegation of that kind under the Bill.

Many publicans are not anxious to supply liquor on Sundays or after hours but at present pressure is brought to bear on them and they are forced to acquiesce. I believe they would welcome fixed hours of legalised trading and in this regard I cannot agree with Mr. Craig. I believe that many of those who, at present, go to a hotel on Sunday for a drink do so merely out of bravado and that if the practice were legalised they would not bother to indulge in it. In certain reserves near Perth people are frequently apprehended for what is known as sly-grogging on Sundays. The customers of such people pay 4s. 6d. a bottle for beer on Sunday mornings.

Hon. L. Craig: They must be very inferior people.

Hon. H. S. W. PARKER: I admit that they are a poor class of person, but nevertheless they do as I have said. I believe that if the Bill is passed, the police will be encouraged to enforce the law to the utmost, with the result that we will have a much cleaner city and the bad drinking habits that now exist in some places will disappear. I believe, also, that with legalised Sunday trading there will not be the amount of drinking that now takes place in Kalgoorlie, for instance, and I think members representing Kalgoorlie will agree with me in that respect. I support the second reading.

HON. W. R. HALL (North-East) [8.59]: Members have made considerable mention of the Goldfields in connection with the Bill and I agree that the people of that area have, for many years, enjoyed long hours of Sunday hotel trading. But I am certain there is less intoxication evident per head of population in Kalgoorlie than in most other places where Sunday trading takes place for much shorter periods. Whilst I agree that some liquor reform is long overdue, I think that in areas such as the one I represent, where the climatic conditions are different from those in other places, some concessions are warranted, because people who live in the city or near the coast have available to them other recreation facilities that are not offering on the Goldfields. In a place like Gwalia, where the environment is very dismal, the people enjoy the privilege of the hotels being open for long periods on Sundays. I think the hotels there are open from 10.30 a.m. to 1 p.m.; 4 p.m. to 6 p.m. and from 8 p.m. to 10 p.m.

Hon. L. A. Logan: Rafferty rules!

Hon. W. R. HALL: No, I would not say that. The conditions there are vastly different from those in other places, even Kalgoorlie. The heat is very oppressive and the only piece of lawn in the township is adjacent to the State hotel. I take it that the hours of liquor trading there have been condoned by the Government of the day—not any particular Government, but whatever one may be in power. Certain hours for trading on Sunday have been provided in the Bill as amended by members in another place. The Act already provides the Licensing Court with power to grant certain concessions in centres such as I have referred to.

Although I realise that the conditions on the Goldfields are altogether different from those in other centres, each member must speak according to the circumstances prevailing in his own constituency. I do not know how the hours for liquor trading on a Sunday from 12 noon to 1 p.m. and from 5 p.m. to 6 p.m. are going to operate in the area between Gwalia and Wiluna. One can only travel between those towns by road transport, and there is a long distance between them. Therefore, those hours would not always be convenient to travellers in that part of the State. However, I consider that so long as the Licensing Court has the power to grant concessions to certain places because of the conditions that exist, that will provide some satisfaction.

There is another point, and I would like to see some alteration to the Bill regarding this provision. There is no reason why anyone should go to an hotel and become intoxicated. In the course of one hour a person would not have much chance to do so, but I am wondering what the position will be on the Goldfields when the new hours become operative. What can now be seen in the bars in Melbourne and Sydney at the closing hour, will, I think, become evident on the Goldfields. In those two capital cities at present there is always a rush for drink at closing time and everyone indulges in swilling. I can visualise the same thing happening at Kalgoorlie from 12 noon to 1 p.m. and also from 5 p.m. to 6 p.m.

The other provision I wish to refer to is that governing the sale of bottled beer on Sunday. I have never worried about it myself, but there are many men who go to an hotel who are desirous of taking a bottle of beer home for their lunch or dinner in the evening on a Sunday. As long as the practice is carried out in a sensible way by the customer buying only one or two bottles and not six or more, I cannot see much wrong with it. A wife who cooks the dinner on Sunday and who feels like a drink of ale is entitled to it if a husband brings home a bottle of beer for her.

Hon. A. R. Jones: Could they not get it on Saturday?

Hon. W. R. HALL: Yes, they could; but not everyone has a refrigerator and there are many houses that do not even boast an ice-chest. There would not be much harm caused by a man taking home one or two bottles of beer on Sunday, but for him to take home half-a-dozen or more might be a different proposition altogether. Referring to the bona fide traveller provision in the Bill, I would point out that there are many hotelkeepers, even under present conditions, who will not trouble to serve a bona fide traveller, journeying between say, Kalgoorlie and Perth, who desires a drink. On many occasions when I have been travelling between those two centres I have been unable to get a drink.

I take it that some hotelkeepers desire to enjoy their siesta on a Sunday like many other people and there are some, of course, who have no inclination to serve drink to a bona fide traveller. I can quite understand that, when they have to wait on the doorstep, more or less, in order that bona fide travellers who are passing through may have the privilege of being served with drink. At the same time, surely a bona fide traveller is entitled to a drink! I think the provision laying down a 50 mile limit from the town hall will prove rather awkward in places as Broad Arrow or Ora Banda, which are situated only 23 and 42 miles respectively, from Kalgoorlie. Again, many Kalgoorlie people travel to Coolgardie on a Sunday for a drive.

Hon. L. Craig: Do they not take a thermos?

Hon. W. R. HALL: That is an old-fashioned idea.

Hon. H. Hearn: Why cannot they take tea?

Hon. W. R. HALL: I have taken tea myself, and as far as I am concerned it would suit me, but it is a question of what is best for the majority. It is true that Coolgardie, under the provisions of the Bill, would be out of bounds to Kalgoorlie people under this provision relating to bona fide travellers.

Hon. H. Hearn: They would have their set hours on a Sunday.

Hon. W. R. HALL: Yes, but most of the people who travel to Coolgardie for a drive on a Sunday afternoon generally leave Kalgoorlie about 2 or 3 o'clock. The road is bituminised all the way and the drive constitutes an outing for them. Goldfields members know that what I am saying is true, but if the Bill is passed, that pleasure will be denied Kalgoorlie people. The Government has decided, and rightly so, that it must make a move to reform our liquor laws, so I will support the second reading and deal with the amendments in Committee as they arise.

From the Goldfields point of view, however, the hours will prove inconvenient to some people. Those who are used to having a few drinks at an hotel during Sunday morning and also in the afternoon will be prevented from doing so if the Bill is passed. On the Goldfields miners work broken shifts and they sometimes work on Sunday. A concession has always been granted to mineworkers at the Boulder Block hotel, especially to those who work until a late hour and even to those who work on afternoon shift.

That practice has been followed for 30 or 40 years, and although the present hours are fairly long, I do not want to see us reverting to the conditions that prevailed many years ago when a man had to jump the back fence in order to evade the police. Many hotels in the outback centres are allowed to keep open at the whim of the local policeman. Where an hotelkeeper shows some tact and commonsense, generally everything goes all right. I do not see anything wrong with the conditions prevailing in my province, but if the Government is keen on amending the Licensing Act it will certainly ease the policeman's lot as to his deciding what are the hours and what should be the hours.

HON. G. BENNETTS (South-East) [9.14]: I support the second reading. This is one of the most important Bills introduced this year and I regret that the Government has brought it down at such a late stage of the session. I consider that before it was drafted a Royal Commission should have been appointed to inquire into all the ramifications of the liquor trade, including provision of accommodation, trading hours, and so on. We would then have been in a much better position to consider thoroughly the contents of the Bill that would have been drafted as a result.

The young people in our community are consuming far too much liquor today. Older men are more tolerant in their drinking habits, but many young people who frequent dance halls and other places of entertainment both in the city and in the country are allowing liquor to take a great hold of them. It is about time legislation of this description was introduced to impose restrictions on such people. On the Goldfields there are dance halls close to hotels and that state of affairs is not in the interests of the young people. I speak as a teetotaller for I have never had a drink of intoxicating liquor. I do not condemn those who want their glass of beer so long as they do not interfere with me in my desire to have a squash or a glass of milk. I have received a letter, and possibly a copy of it has been sent to the Minister. It comes from Merredin with a request that I support the provision regarding the prohibiting of liquor being dispensed in the vicinity of dance halls. This trouble has caused quite a lot of concern at Merredin and in other centres of my province.

Recently I went to Adelaide and while there I met a Press reporter with whom I discussed the liquor laws. I accepted his invitation to go with him to a couple of the hotels near the railway station between five and six o'clock. As members are aware, six o'clock closing applies in South Australia. The biggest rush of the day in the bars is between 5.30 and 6 p.m. Men knock off work and simply pour into the hotels. They struggle round the bar and get as many drinks as they can under really filthy conditions. The crowd jostle each other and grab as much beer as they can in the limited time left for drinking. I saw the glasses filled and I am sure they were not washed. The whole idea seemed to be to get as much beer as possible as quickly as possible in the limited time available. Probably if the same conditions applied on the Goldfields, and elsewhere in this State, similar rushes would be experienced near closing time.

I can say truthfully that on a comparative population basis, I have seen fewer drunken men on the Goldfields than anywhere else. That is probably because of the longer hours of trading. Those desiring liquor can sit down and drink what they require in a leisurely fashion. Although I have not had any experience in the matter, I would say that the time available for drinking and the lack of necessity to consume a lot of liquor in a limited time is the cause of the few instances of intoxication to be noticed on the fields.

As to the opening hours for trade in the mornings, when a man knocks off work on the night shift, he should be entitled to a drink if he requires one. Mr. Hall said there were not many night shift workers, but, in fact, there are a good many on the Golden Mile where all the plants work three shifts. Very often at Kalgoorlie the temperature at 9 a.m. is between 90 and 100 degrees, and when a man finishes his night shift, he should be able to get a drink. I do not know what hour would suit the metropolitan area, but the opening hour could be fixed according to the requirements in various parts of the State.

We have heard a lot of talk about the long trading hours on the Goldfields and I understand the Minister in another place said that permission had been given for those hours to prevail. He knew all about it, and I understand he said he had given the Commissioner of Police permission to allow the practice to continue. If that is so, the Minister must have thought the concession was warranted. In those circumstances, he cannot blame the people at Kalgoorlie and other Goldfields centres for having a drink when they desire it and the hotelkeepers for taking advantage of the position. I do not know if that is correct, but I understand the Minister made a statement along the lines I have indicated.

Hon. Sir Charles Latham: That practice has operated for a long time and I do not think you can nail it down to any one Minister.

Hon. G. BENNETTS: Apparently all Governments have thought it necessary that the people on the fields should enjoy that privilege. I do not know whether it is necessary to drink on a Sunday. Possibly some people think it is, but I consider there should perhaps be a little more restriction upon Sunday trading. If people want to go to church they should be given the opportunity to do so and thus help to make it a real Sabbath day. While I do not condemn those who drink, I think the time is overdue for exercising better control of the liquor trade.

Our young people are getting slaphappy. All they want to do apparently is to get liquor and drink enough to reduce them to a certain state of stupidity as it were. They do not care what happens so long as they get their gargle. I have stayed at hotels in the city for a long time, mostly at the Australia Hotel and the Beaufort Arms. The management of both those places is absolutely perfect. The meals provided for the public are splendid and, so far as I could ascertain, not one room was held vacant and the hotelkeepers never said the place was full up, whether it was or was not. They certainly catered for country people who desired to visit the city.

Recently I had a check made of certain hotels. It was said that they could not open their diningrooms owing to the impossibility of employing staff. If an hotel can get away with that, well and good. The reason why some hotelkeepers will not open their diningrooms to the public is that they do not want to be bothered with that type of trade. All they want is the bar trade, and nothing else. If an attempt were made to secure staff, I am sure hotels in the city in particular would enjoy a higher priority for diningroom work than would the restaurants. Hotel jobs are better paid and the conditions would be preferable.

I think the Licensing Court should look into this phase and we should treat hotelkeepers as they treat the public. If they play the game with the people, we should play the game with them. I know that during the racing carnival on the Goldfields we wanted accommodation for the visitors and difficulty was experienced with some hotels. The Licensing Court should check up on that position and insure that the licensees do what is required of them. I do not think the Licensing Court is hard on hotelkeepers, but it requires the law to be carried out. I shall support the second reading of the Bill and hope that due consideration will be given to some of the amendments that are to be moved. Personally, I would not mind if the Bill went by the board and a proper inquiry carried out in connection with the liquor trade.

HON. C. H. HENNING (South-West) [9.28]: I do not suggest that I have any knowledge of the liquor question as it affects the State as a whole. The few observations I will make will be based on what I have seen in the district with which I am familiar. I do not believe that if the Bill is agreed to it will to any great extent affect the consumption of liquor. I think we all remember the old proverb about sour grapes. That applies not only to liquor but other commodities. People seem to be proud because they obtain things that are difficult to get. It probably tickles a person's ego if he can say he got something he ought not to have obtained at a particular time on a particular day.

Most members have visited the Eastern States and have seen what happens in hotels there at the closing hour of trading. They have seen the rush of people fighting to get to the bar where two or three drinks are consumed as quickly as possible and they see to it that they have one in the hand when "Time, gentlemen, please" is called. If we visited a hotel in Perth just before 6 p.m., we would note that the biggest crowds are there between 5 and 5.45. Before 6 o'clock the crowd dwindles, because they all know that if they so desire they can get drink for three more hours. The result is that they do not set out to consume so much because it is easily procurable. The English custom regarding drinking was mentioned by Mr. Craig. I think in certain cases it has a great deal to commend it. Here I refer to the old country inn system where the inn is used more or less as a club where the people can stay for several hours. It is equipped with a penny-in-the-slot machine from which the customers can obtain biscuits, and so they can remain there for the whole evening drinking a couple of beers. If that system were introduced here, I imagine we would not have the troubles we experience now, but I do not think it will come about.

Our idea is to get a beer, drink it quickly, and then wait for the next fellow to shout. I have seen several places in the South-West where there is controlled drinking on a Sunday. These places are open for an hour or so before lunch and again before tea at night, and in no such case have I seen any abuses. Where this position does not obtain we find men sneaking up to the back door of the hotel, and someone keeping knit. The people wanting a drink rush in and have a few quick ones and get away as soon as possible.

Is it not better to come right out in the open? In the country, sport is a Sunday afternoon affair, but some of the people who finish their game on a Sunday afternoon do not like to break the law and so some of them take bottles along. If they were allowed to have a beer at the hotel

they would go along and have a drink and be home in time for tea; but if they go to a bottle party out in the bush, I am doubtful whether they will get home in good time. I believe that bottled beer and not the draught beer we can buy in the hotels is the cause of our troubles.

We find that bottles are taken to dances and other functions where young people, who are normally not entitled to drink beer, have the opportunity to consume it. I notice that certain action is to be taken to prevent this sort of drinking, but it will be an extremely difficult matter to police. I understand the Minister in another place said he would ensure that the law was carried out, but I still believe it will be very difficult to police this new provision. The Bill states that there shall be no drinking within 20 chains of a dance hall. Will the police attend to this matter, or will the occupier of the premises, or the person in control? I hope the Minister will answer that question.

Hon. Sir Charles Latham: A man cannot control anything outside his own property.

Hon. C. H. HENNING: A road board owning a hall generally stipulates that its bylaws are to be observed by the person renting the hall for the night. The police normally do not bother to go into a hall that is being used for entertainment purposes unless requested by the person running it. The caretaker also has power to call in the police. But if we have to wait until trouble arises before the police are called in, we will not get very far with this portion of the legislation. On the other hand, is the occupier or the person in control held to be responsible for what occurs within 20 chains on either side of the hall?

Hon. Sir Charles Latham: The police will enforce the law outside the hall, and the occupier will have to enforce it in his premises.

Hon. C. H. HENNING: The wording is rather vague. Another provision in the Bill is that bottles shall be placed in a receptacle set aside for the purpose. Does this mean that in every hall, street and recreation ground there will be a number of containers or tins bearing the notice, "Please put your bottles here"? I believe the Bill is a definite advance on what we have and I am prepared to support the second reading in the hope that the measure will go through the Committee stage with very little amendment.

HON. H. C. STRICKLAND (North) [9.40]: This legislation is overdue. I agree with Mr. Craig when he says that it might offer some encouragement to people to drink, but then I am of the opinion that beer has been glamorised far too much by the brewery. Members will recall that the brewery ran a series of advertisements to show the good that beer does. Again, we rarely read of a social occasion without there is a photo of some person or other in a fashionable hotel holding a glass of beer. In some respects I think this is overdone, and is to the detriment of the community as a whole and particularly the young people.

The clause to legalise the Sunday sessions is long overdue. In the farming areas the people hold their sporting events on a Sunday, and naturally expect a drink when they finish, and why not? These people come in from different parts of the district and meet their friends, and I see no reason why they should not be entitled to have a drink, but as the Act stands, they have to sneak in someway, drink as much as they can, and get out before the policeman comes or is likely to come.

Hon. H. L. Roche: Mostly the police permit them to do this.

Hon. H. C. STRICKLAND: Sometimes they do, but sometimes they try to prevent it. It is like s.p. betting, because the police have no hope of doing anything unless the publican works with them. If the publican co-operated with them they could control the position, because he has the key of the bar. We have reached the stage now where competition in the hotel business is dead. It is a matter of, "Take it or leave it," because there is no chance of any opposition starting up to put the publican on his toes and make him supply a service.

Where there are two or three hotels in a town and one publican is foolish enough to trade outside the regular hours, and the others do not, he is looking for trouble because, after all, people have only a certain amount of money to spend. It does not make much difference whether they go to the hotel on Sunday, Saturday, or any other day; they will spend it on liquor before the week is out. I am talking here of the vast majority of the working people.

To overcome the present difficulties, the provision to allow of an hour's session before each meal is very sensible. I was looking after a hotel where an unofficial session had operated very successfully for years. This hotel is in the South-West, not in the North-West. For the three weeks I was acting as licensee, I was never asked by any of the townspeople for a drink outside the stipulated half-hour before lunch and the half-hour before the evening meal. They all respected the arrangement. Those who wanted a drink would come in for the half-hour and would leave without argument when I said, "Time is up."

I fail to see why that system would not be better legalised, rather than have unofficial trading at all hours. What I suggest suits the publican because he can arrange his staff and his own time accordingly, but if the trading is to be at any time, on a slap-dash basis, he might just get into bed and be told that someone is

knocking at the front door and wants a drink. That sort of thing goes on all over the State. The publican does not like to disappoint the man, so he takes the risk and serves him. I am quite satisfied with this part of the Bill.

So far as the taking away of bottles in that period is concerned, there may be sufficient bottles elsewhere to meet the demand, but my experience in the far North is that it is very hard to buy bottled beer at any time. In fact, I find the same thing operates in the metropolitan area. I think the shortage of bottled beer has a lot to do with the rush for it, because when a commodity is scarce, a clamour is naturally set up for it and it is a matter of first in, first served.

Hon. A. R. Jones: Do you think we should control it?

Hon. H. C. STRICKLAND: I think it would be a good idea if the breweries could be controlled, but it seems impossible to do it. It would be a good thing if we could have a little more competition in that direction.

Hon. G. Bennetts: There is a monopoly now.

Hon. H. C. STRICKLAND: They can do what they like at the moment. I can remember years ago reading on the labels on bottles that the product was guaranteed under the Health Act. That is not so now and probably that is the reason why I do not drink so much. I have found that it is not good for my health.

There are other clauses in the Bill and I want to refer to two of them in particular. One provision relates to the serving of liquor with meals, and reads as follows:—

> Any person being served with a meal on the premises in a room set aside for the purpose between the hours of 1 p.m. and 2 p.m. and the hours of 6 p.m. and 7.30 p.m., if the liquor is drunk with the meal.

I want to tell the House an experience I had in Melbourne where that particular provision operates. My wife and I arrived in Melbourne on a Saturday night and we secured a room but could not be provided with meals. Next morning we walked around Melbourne and had a cup of tea and sandwiches at a little shop, but at lunchtime we passed a queue leading into an arcade. I asked some person the reason for the queue and he said that it was for lunch at a certain hotel.

Lunch was at 1 o'clock and this was only half-past twelve. I said to my wife, "That will do us; we will join in." So we lined up in the queue, got into the hotel and sat down. The first thing that happened was that the steward brought a jug of beer round and asked us if we wanted a drink. We wanted a meal; my wife does not drink and I did not want one on that occasion. So we asked for the menu and it was some time before it was produced—the reason being that we did not have a drink.

Eventually we had our meal but we could not get a cup of tea or coffee—not even a drink of water. If a person wanted a drink he had to buy beer, a soft drink or something of that nature. I am a little afraid that such conditions might obtain here if we agree to this part of the Bill. It could happen, because there is nothing to stop it if we give hotel licensees that power. I am not putting anything over when I relate that experience, and any other member could find the same thing if he went to Melbourne today. That is why I am a little dubious about this provision.

Another portion of the Bill deals with betting on licensed premises. Apparently it is intended to arrest the punter or convict him for betting. I do not know how that will apply on the racecourse or trotting-ground. I have had bets with bookmakers at both those places, and I am wondering if the provision is intended to apply there, too. Apparently any punter who has a bet in a bar in the North-West, the South-West, or anywhere else where it is impossible to get to a racecourse, can be arrested. That is a very dangerous provision. It might be all right to confine it to the City of Perth but to have it operating throughout the State would be most unfair.

I do not advocate Sunday trading and I think if more bottles of beer were available, there would be less Sunday trading than there is now. If people could buy bottles on Saturdays, or week days, and could store them in their refrigerators, Sunday trading would be reduced to a considerable extent. Of course, that would not apply to the dry outback areas of the State such as the Goldfields, the Murchison and the North-West. In places like Derby and Broome, the temperature rises to 111 and 113 degrees. I was in Derby last February, and although the temperatures were not very high, the humidity made conditions much worse.

It was impossible to buy a bottle of beer and it is rarely for sale in those parts, because the publicans do not know when their next beer order will arrive. The liquor is transported by boat and they do not know just when it may arrive. Consequently they will not release bottles of beer until they are sure that they will have beer to serve over the counter. If they run out of bulk beer, they serve bottles, and after all they cannot be blamed because business is business. The Prices Branch had fixed the price of bottled beer in that particular town at, I think, 3s. 6d. a bottle. The publican can sell a 5-oz. glass of bottled beer for 1s. over the counter and consequently he receives 5s. for the bottle instead of 3s. 6d. At places like Hall's Creek and Marble Bar the price of beer is up to 6s. a bottle and I think those towns should be permitted to have Sunday sessions, because the conditions are entirely different from those prevailing in most other parts of the State.

Hon. L. Craig: They should have special licenses. Every place should be treated on its merits, but this is a blanket.

Hon. H. C. STRICKLAND: To close these sessions down altogether and say, "No, you cannot have a drink," is definitely penalising the people in those areas.

Hon. L. Craig: You will not stop those people, neither will the Bill.

Hon. H. C. STRICKLAND: No, but I think this is rational and there is something sensible in the Sunday session. I am not too agreeable to the 50-mile limit for a bona fide traveller. I think that is too far.

Hon. L. Craig: Fifty miles by car is less than 20 miles by buggy.

Hon. H. C. STRICKLAND: But it is a long way for a man who walks or rides a bicycle. Travellers do not walk or ride bicycles these days but there are many men who work on farms and many of them would walk into the local pub to get a drink on Sundays.

Hon. L. Craig: But not 20 miles.

Hon. H. C. STRICKLAND: No, but they would ride a bike or walk seven or eight miles.

Hon. H. L. Roche: They would not walk.

Hon. H. C. STRICKLAND: They would start to walk and then probably get a lift.

Hon. L. Craig: It would give them a thirst.

Hon. H. C. STRICKLAND: If a man has to go 50 miles, he will not go.

Hon. L. Craig: That is the idea, to stop him.

Hon. H. C. STRICKLAND: He will still go and pester the local publican and he will get in one way or the other because once these sessions start in a small place, I defy anybody to police them.

Hon. L. Craig: The man who wants a beer that much takes it home on Saturday night. He ensures that he has a drink for Sunday.

Hon. H. C. STRICKLAND: He would not bother to go if he could get a bottle of beer, but that is not possible these days.

Hon. A. L. Loton: What about a water bag?

Hon. H. C. STRICKLAND: It is all right for people like the hon. member. They might have their refrigerators full of whisky, but what about the workers? They cannot afford to load their refrigerators—that is, if the hon. member supplies his employees with refrigerators. What about that sort of person? He is the man who produces the real wealth on these farms. He is not the man who gathers in the wealth. Is he not entitled to something?

Hon. H. L. Roche: Where do you find that sort of person?

Hon. H. C. STRICKLAND: Mr. Jones used to produce, but now he just gathers it in and lets somebody else produce it for him. Is not such a man entitled to a drink? Why should he have to go 50 miles to get one? Would members send their employees 50 miles for a drink or would they rather make it necessary for them to go only ten miles?

Hon. H. L. Roche: I would sooner give them a cup of tea.

Hon. H. C. STRICKLAND: What about shouting them a drink? I am not going to argue those points but, at this stage, will support the second reading of the Bill.

HON. E. M. HEENAN (North-East) [9.56]: I propose to make my remarks fairly brief because it seems obvious that the Bill will pass the second reading stage. However, I appreciate the introduction of the Bill because it is a realistic approach and an endeavour to bring our licensing laws more into conformity with present-day requirements. I would go so far as to commend the Government for framing such a difficult piece of legislation which appears to have good prospects of being placed on the statute book.

The subject of liquor control is undoubtedly a very difficult and vexed one. I earnestly and sincerely hope that if the measure is passed, it will have the result of making our liquor laws more beneficial for the general public. I agree with Mr. Henning who expressed the opinion that the passing of this measure will not do anything to increase the consumption of alcohol. As a matter of fact, I hope it will have the opposite effect.

There is certainly room for grave concern about the increased amount of drinking that has been going on since the war. If we look back through history we find that after a major war the morals of the people suffer a decline, and there is no gainsaying the fact that the general morality of the community suffered a grave decline during the recent war and the reformation has not yet set in.

Hon. L. Craig: And this won't help it.

Hon. E. M. HEENAN: Mr. Craig is entitled to his views, but if he uses that argument I could perhaps answer it by mentioning the fact that there has been a tremendous increase in recent years in smoking; a great increase in recent years in divorces. I could point to the great increase there has been in recent years in betting. I think the problem goes far deeper than that. I feel we shall have to take stock of our system of education.

Hon. H. L. Roche: Hear, hear!

Hon. E. M. HEENAN: I think the churches will have to be supported a great deal more in the valiant struggle they are carrying on. But I cannot see any inherent evil in drinking; it is a congenial social habit, of which the majority of people do not want to be deprived. All they want is sensible, realistic licensing laws, and I think that most people have a respect for the law and want to see it enforced. The High Court, the Privy Council and other judicial bodies are formulating the common law and making decisions which keep in step with modern trends, but our legislative enactments frequently fall far behind, and in recent years we have had an illustration of that in our licensing laws. On the Goldfields, a system has grown up and, in my opinion, a very sensible formula has been reached by that community. I think the authorities have also shown wise judgment in conforming with the public trend.

Hon. L. Craig: I would give them a license for it on the Goldfields.

Hon. E. M. HEENAN: My experience is that drinking on the Goldfields is done in a more rational and sensible manner than perhaps in any other part of the State. It is a grave social offence for a person to be found drunk on Sunday. If such a one is arrested, he is dealt with very severely on Monday morning by the magistrate. This is far different from the man who is caught on Tuesday, Wednesday, Thursday, Friday or Saturday.

Licensees themselves take pride in looking after the welfare of those who may be inclined to step over the traces and the whole community, with the exception, of course, of those who do not drink, go openly into the bars and clubs, and there are no rush sessions. In my opinion, a very sensible and wise system has been worked out. But, of course, it is wrong for such a setup to be outside the law and it is only wise that we should make laws which would fit in with such a system and to which people should conform.

The Bill does not solve all the problems and it is not a hundred per cent. perfect, but I think it is a satisfactory attempt. If I had been asked to draft a similar Bill, I am quite sure I could not have done nearly as well. I do not want to digress but I think we ought to tackle this betting problem. So far as these grave social problems are concerned, we should not pass the buck; we should tackle them in a realistic way and face those problems. We cannot satisfy everybody. I firmly believe that the laws of the land should be wise laws. They should take into consideration everybody's wishes. They should respect all sections; but for goodness' sake when Parliament makes laws, let us enforce them. If they are foolish laws, let us amend or correct them. That is what I hope will happen here.

As for Sunday trading, I hope it will be a success and will not result in frenzied and excessive drinking during this brief session. I have some misgivings about the brevity of the period—

Hon. L. Craig: You have said it!

Hon. E. M. HEENAN: —because, from our experience on the Goldfields, where people can get a drink almost at any time during the day, we do not see them guzzling several schooners in a hurry.

Hon. H. L. Roche: Do you think it would be better to put that provision in the Bill?

Hon. E. M. HEENAN: We have to move step by step and such a move would not, I suppose, receive the approval of Parliament. I daresay that next year we shall have to revise this measure in the light of experience, but for a first step I think we might have achieved something. I applaud the section which provides for the abolition of that cumbersome system whereby petitions have to be prepared and advertised and where a lot of expense and hokus pokus has had to be gone through in order to get a new license. In that respect I think the new measure is a great improvement.

I have looked up the provisions of Section 121 relating to licenses on the Goldfields, and there is a provision at the end which reads—

> Provided that the Governor may, on the recommendation of the Licensing Court, by proclamation extend or reduce the hours in any licensing district or part of a district within the Goldfields district, and this subsection shall have effect as so modified, but any such proclamation may, on the recommendation of the Licensing Court, be so varied or revoked by a subsequent proclamation.

Then the Goldfields district is defined. I think we will undoubtedly be able to make out a case for the extension of hours provided by this measure and, because I have confidence in the strength of the case that can be put up on behalf of the Goldfields and because I feel it will receive favourable consideration, I am not going to object to the existing provision in the Bill.

I would like to offer some comment on the provision relating to 50 miles for a bona fide traveller. I am not going to object to that, because, with the good roads and the more modern means of transport, I do not think it will amount to very much, particularly on the Goldfields. If the increased hours are granted, any traveller will be very unlucky if he cannot reach two or three hotels during a day's journey. I do hope that reasonable periods for Sunday drinking will be permitted and that they will be rigidly enforced. Outside those hours, I do not think any hardship will be done to many people if no liquor is served at all.

HON. A. R. JONES (Midland) [10.17]: With other members, I am pleased to see that the Government has at long last made some move to have the liquor laws revised and submitted to Parliament with certain amendments which, in the main, we all trust will be carried. I am rather disappointed that nothing has been done, nor any consideration given to the alcoholic content of beer being reduced in this State. I believe that the high alcoholic content is one of the contributing factors to most cases of drunkenness.

The Minister for Transport: We are advised that it is no higher than in other countries.

Hon. A. R. JONES: It has been said it is no higher than in other countries, but the climate in this country is different, and I think that has an effect on one when alcohol is being consumed. Whether the assertion made by the Minister is correct or not does not worry me because I feel that if the alcoholic content of beer in other countries is the same as it is in Western Australia, then it is too high in those other countries. It would be a good thing for this country and the others, if we gave some consideration to reducing the alcoholic content.

There is, no doubt whatever, and one can see it every day in most walks of life, that drunkenness is becoming more prevalent and people are drinking at a much younger age than was the custom previously. For that reason, and to protect the younger folk, it would not be any hardship to ask the older people to put up with the reduced alcoholic content. It would help the younger folk who might start off in life to enjoy, as they believe and we hope, their first drink. When the alcoholic content is high and a person takes liquor for the first time, it will have a greater effect on him than if he were accustomed to having a few drinks. However, the Government has not included any provision of that sort and I suppose there is little we can do about it.

I think the Government might well adopt the course of setting up a committee of prominent people who have travelled extensively and would be in a position to give advice on the liquor question. Perhaps well-travelled members of the religious fraternity and some of our businessmen who have travelled extensively in various countries of the world would be prepared to act. It should not be difficult to set up a committee of, say, six men and women to advise the Government before any amendments are placed before Parliament.

I believe that it would be advantageous if the Government adopted this suggestion because people who have been oversea and have seen what happens in other countries tell us that one is there permitted to go into a cafe and have a drink at practically all hours of the day and that little drunkenness is observed. It seems to me that this system has much to recommend it because, on social occasions, or when one was having a meal, one would be able to enjoy a drink with it. Here, when we want a drink, we go into a bar and have a few schooners while standing up whereas, in the countries to which I have referred, people sit down in the cafes and enjoy their drink in greater comfort. I should imagine that under those conditions, there would be far less likelihood of drunkenness occurring.

There are one or two points in the Bill that I should like to discuss and I trust that in the Committee stage, they will receive close attention. I consider that when the hours of trading were amended on the previous occasion, the closing hour might have been made 10 p.m. in country districts, though without lengthening the overall hours of trading. Experience has shown that in most country centres during summer months, the 9 o'clock closing of hotels is too early. Many people are unable to arrive in the township until 8.30 or getting on towards 9 o'clock, and in my opinion it would be desirable and a convenience to them if the closing hour were 10 o'clock. I understand that the publicans would be opposed to the later hour possibly on account of the later hours that employees would have to work.

I am pleased that provision is made in the Bill for Sunday trading within specified hours because illegal drinking has been going on in this State for many years. I recall that when people obtained a drink on a Sunday, it was regarded as a definite breach of the law, but it does not seem to be so regarded now. This illegal Sunday trading is bad for those who break the law and it is also bad for the community morally. The youth of the country will have learnt from their parents that we have a law prohibiting Sunday trading and yet they would see adults breaking the law.

It is not good for young people to grow up in an atmosphere of that sort, because they would be apt to form an impression that the law was a menace and could be ignored. For this reason, I am pleased to find that the liquor business is to be put on a legal footing. People in the country will have the right of two sessions on Sunday, and as this trading will then be legalised, we can expect those hours to be rigidly observed. The police have done a very good job in maintaining order as they have so far. They have had to exercise great discretion, and their task has not been an easy one.

I believe that one of the most effective deterrents to drunkenness would be to increase the penalties greatly. The penalties at present provided may be considered to be heavy, but in many centres they are not enforced and quite often one may see a person under the influence of liquor. I think this enforcement of penalties would be helpful in the case of the younger people. If a young person were found

under the influence of liquor and were heavily penalised, there would be less chance of a recurrence of the offence whereas at present an offender can get away with it.

There is no reason why a person should get drunk; everybody should be cautious enough to avoid that. Mr. Heenan said that probably we would have to go back to the schools and make a start there, and possibly that is where a start should be made to educate young people against the evils of excessive drinking. At any rate, we might as well ask the Minister for Police to ensure that drunkenness amongst young people is not lightly regarded. I think it is beneficial if young people particularly are taught a lesson early in life. Perhaps it would not be of much use penalising the die-hards to a greater extent because they seem to get drunk at every opportunity, but I do think it would be a step in the right direction if the young folk, when found drunk, were penalised and taught a lesson.

A question I should like to ask the Minister to answer in the course of his reply is whether any provision is made whereby railway refreshment rooms in country areas could have Sunday trading sessions, seeing that we are providing for hotels. There are quite a number of railway refreshment rooms in various parts of the State, and we know that when people are waiting at the siding for a train to arrive, and while it is standing at the siding, they take the opportunity to have a drink. I think we might well concede Sunday trading hours to these refreshment rooms in remote areas, but not in places where there are hotels. People going into the siding on a Sunday should be just as much entitled to have a drink as those who are able to go to a hotel.

Hon. L. Craig: Would you bring employees back just to serve drinks to a few people?

Hon. A. R. JONES: I am not suggesting that.

Hon. L. Craig: Then how would you arrange it?

Hon. A. R. JONES: Most of the railway refreshment rooms are let by contract.

The Minister for Transport: Not now.

Hon. A. R. JONES: I have in mind at the moment the refreshment rooms on the Midland railway line.

The Minister for Transport: I was not referring to the Midland line.

Hon. A. R. JONES: The persons conducting the other section of a refreshment room could attend also to people who want a drink. I should like to know whether the Minister has given any consideration to that point. I shall support the second reading, but hope that in Committee we will make some useful amendments.

HON. R. J. BOYLEN (South-East [10.28]: I intend to support the secon reading, despite the fact that the Bi contains a number of features that I d not like. Twelve months ago, a refer endum was held on the liquor questio and at that time the Premier advocate a "No" vote and promised that a Roya Commission would be appointed to in quire into the liquor trade. Had he car ried out that promise, he would hav been in possession of expert advice whe the Bill was being framed. Undoubtedl advice was sought, but from a very sma section of the community only, whereas he should have obtained advice for an against, not only in the metropolitan area but also in the country centres.

I have no doubt that reforms ar needed, and a certain amount of uni formity is also desirable, but I do no mean uniformity as far as hours are con cerned. There should be uniformit throughout the State on the question o Sunday trading, because that matter a present is left to the discretion of th Minister and the police, and it is placin too much responsibility on them, a re sponsibility that they should not be ex pected to assume.

In another place, the Minister fo Police said that the Bill pleased certai sections of the community, and I take i he meant the people from whom h sought advice, the temperance leagu and certain church organisations, but i spite of his statement, letters that hav since appeared in the Press do not sub stantiate his claim. They merely said i was a case of half a loaf being better tha no bread. He also stated that he ha made a realistic approach to this matte but he made a most unrealistic approac to the search for advice in connectio with the framing of this Bill.

The provisions of the Bill which mainl affect the province I represent are thos relating to Sunday trading hours. A different conditions exist in various part of the State, different hours will prob ably have to be adopted, particularly i such sections as the South-West, th North-West and the Goldfields. Th Goldfields are dependent on an industr that is entirely different from most othe industries in Western Australia. Thre shifts are worked and men are labour ing for the whole 24 hours of the day That is a fact which must be taken int consideration in fixing trading hours.

I think that the hours which operat at present on the Goldfields, and whic have been in existence for many year and have proved very satisfactory, shoul be retained, and consideration to that as pect should be given by the Minister. Th hours on the Goldfields are from 9 a.m till 11 p.m. Probably people who pas through the Goldfields would conside

that the hotels should close earlier. Not much drinking is done between 10 p.m. and 11 p.m., but there are people who knock off after 10 o'clock and require a drink and are entitled to have one in view of the fact that they have been working underground.

Another point is that football matches are held on Sundays and are attended by big crowds. I consider that hotels should be open during the half-time period so that people may have an opportunity to have a drink if they so desire. Drinking on the Goldfields is conducted on a far saner scale than anywhere else in the State. We have ordinary public bars, lounge bars and beer gardens. There is one beer garden which is famous throughout Australia for the way in which it is conducted. It has accommodation for approximately 600 people. Music is provided and there is provision for dancing. I venture to assert that fewer glasses of beer per head are consumed there than at any other place in the Goldfields, country centres or the metropolitan area.

The Minister for Transport: Which one is that?

Hon. R. J. BOYLEN: I am referring to the Boulder City Hotel which has accommodation for 600 people. There is a dance floor and an orchestra is in attendance two nights per week. One can go there any night of the week and never see any drunkenness. I am chiefly concerned with the conditions on the Goldfields, but I hope other country centres throughout Western Australia will be given some consideration in the matter of drinking hours on Sundays and that their requirements will be met. The South-West, North-West and Goldfields towns require different consideration, and I do not think the adoption of uniform hours is possible. I urge the Minister to see, when the Bill is in Committee, that there is no interference with trading hours on the Goldfields, otherwise suffering will be inflicted on many people. I support the second reading.

On motion by Hon. J. G. Hislop, debate adjourned.

BILL—FACTORIES AND SHOPS ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the Council's amendments.

BILL—ROYAL VISIT, 1952, SPECIAL HOLIDAY.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the Council's amendments.

BILL—WAR SERVICE LAND SETTLEMENT AGREEMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to amendment No. 1 made by the Council, but had disagreed to amendment No. 2.

RESOLUTION—STATE FORESTS.

To Revoke Dedication.

Message from the Assembly received and read requesting concurrence in the following resolution:—

> That the proposal for the partial revocation of State Forests Nos. 15, 22, 51 and 52 laid upon the Table of the Legislative Assembly by command of His Excellency the Governor on the 11th December, 1951, be carried out.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [10.35]: I move—

> That the resolution be agreed to.

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

BILL—TRAFFIC ACT AMENDMENT.

Recommittal.

On motion by Hon. J. G. Hislop, Bill recommitted for the further consideration of Clause 6.

In Committee.

Hon. G. Fraser in the Chair; the Minister for Transport in charge of the Bill.

Clause 6—Section 24 amended:

Hon. J. G. HISLOP: When further consideration of this Bill was deferred last night, we were dealing with an entirely different clause in the hope that I could carry out my wish to try to prevent people chronically addicted to indulgence in alcoholic liquor from being in charge of a vehicle once they had been convicted of having been in charge of such a vehicle while under the influence of liquor. After extensive investigation of the problem, it becomes obvious that this could be done much more simply by dealing with the section we have under consideration.

What we must realise is that these cases which come before the court have to be reported to the Commissioner, so that he is aware of what is happening. Under the amendment I have suggested we would have got into difficulties as to who should pay for a medical examination and how a man would be taken for such examination. Secondly, if the stage were reached of the court deciding that a man was habitually addicted to alcohol and sent him for medical examination, it might

easily be that we would have such a man charged as an inebriate and having to be declared under the Inebriates Act.

It appears that the courts have somewhat overlooked the Inebriates Act, which is more that 40 years old. Section 7 of that Act provides that—

> (1) Where a person is convicted summarily or on indictment of an offence, and drunkenness is an element, or was a contributing cause of such offence, and on inquiry it appears that the offender is an inebriate, the court may, in its discretion, order the offender to be placed, for a period of not exceeding twelve months, in an institution established for the reception of convicted inebriates:

Had I moved my amendment last night, an accused man might have ended up being convicted as an inebriate and committed to an institution either summarily or on indictment. Under Section 24 the Commissioner of Police may at his discretion suspend any license issued to any person whom he suspects on reasonable grounds is unfit to hold such license, and the grounds are set out. We have altered the provision by adding the person who is not of good character or of the prescribed age.

The actual machinery for having a man examined by a medical practitioner already exists in the Act. I think we should alter the provisions by adding words so framed that they will not end up by bringing the person charged under the Inebriates Act. The definition of "an inebriate" in the relevant Act means, "a person who habitually uses intoxicating liquor or intoxicating or narcotic drugs to excess." I move an amendment—

> That a new paragraph be inserted as follows:—
>
> > (a) Adding after the words "on account of" in line 4 of Subsection (1) the words "habitual addiction to alcoholic drink or drugs to such an extent as to render such person a danger to public safety when in control of a motor vehicle on the road or."

The MINISTER FOR TRANSPORT: I have been in touch with the Police Department and the Crown Law Department and am advised that the amendment is in order.

Amendment put and passed.

Hon. J. G. HISLOP: I move an amendment—

> That a new paragraph be inserted as follows:—
>
> > (b) Adding after the words "on account of" in line 3 of Subsection (2) the words "habitual addiction to alcoholic drink or drugs to such an extent as to render such person a danger to public safety when in control of a motor vehicle on the road or."

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

Bill again reported with further amendments and the reports adopted.

Third Reading.

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

BILL—GOVERNMENT EMPLOYEES (PROMOTIONS APPEAL BOARD) ACT AMENDMENT.

In Committee.

Resumed from an earlier stage of the sitting. Hon. J. A. Dimmitt in the Chair; the Minister for Transport in charge of the Bill.

Clause 4, Section 3, Interpretation, "Employee" amended (partly considered):

Hon. G. FRASER: When I asked the Minister to report progress I thought it might be possible to move an amendment, but as this clause deals only with the definition of "employee," it cannot be done.

The MINISTER FOR TRANSPORT: I assure the House that the Minister in charge of the Bill in another place will accept the suggestion that the Commissioner should either not sit on the selection board or not sit on the appeal board, and that the Minister should have right of veto irrespective of any recommendation of the Commissioner. I will bring that under the notice of the Minister, who has already told me he would be prepared to do that. I assume it will be done by regulation.

Hon. G. FRASER: The Attorney General has already given me the same assurance on that and one or two other minor matters.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Read third time and *passed.*

ADJOURNMENT—SPECIAL.

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

> That the House at its rising adjourn till 3.30 p.m. tomorrow.

Question put and passed.

House adjourned at 11.1 p.m.