

Legislative Assembly.

Wednesday, 15th June, 1949.

CONTENTS.

	Page.
Electoral : Swearing-in of member	2
Motion : Condolence, late Mr. D. J. Leahy	2
Assent to Bills	3
Questions : (a) Parliamentary session, as to adjournment and members' interests	3
(b) As to protection for members	3
Local Government Bill, as to distribution of copies	4
Political parties (a) as to transfers to Liberal and Country League	4
(b) As to Premier's affiliation	4
(c) As to submission of projected legislation	4
Housing, (a) as to spec. building, labour and materials	5
(b) As to increased jarrah supplies for South Australia	5
(c) As to timber for spec. builders	6
State Budget, (a) as to date of introduction	6
(b) As to duration of debate	6
(c) As to availability of Auditor General's report	6
Timber industry, as to benefits for workers	6
Gas standards, as to quality, price, etc.	7
Hospitals, as to site at Midland Junction	7
Water supplies, as to comprehensive scheme	7
Meat, as to price	7
Chandler alunite industry, as to accuracy of Press report	7
Electoral, as to Leederville roll	8
Betting, as to prevalence	8
Bills : Building Operations and Building Materials Control Act Amendment, (Continuance), 1r.	8
Land Sales Control Act Amendment (Continuance), 1r.	8
Interpretation Act Amendment, 1r.	8
Tuberculosis (Commonwealth and State Arrangement), 1r.	8
Mental Institution Benefits (Commonwealth and State Agreement), 1r.	8
Local Government, 2r.	8
Adjournment, special	25

The SPEAKER took the Chair at 3 p.m., and read prayers.

ELECTORAL—SWEARING-IN OF MEMBER.

Mr. SPEAKER: I have received the return of a writ for the vacancy in the Hannans electorate caused by the death of Mr. D. J. Leahy, which shows that Herbert Alexander McCulloch has been duly elected. I am prepared to swear in the hon. member.

Mr. McCulloch took and subscribed the oath and signed the roll.

MOTION—CONDOLENCE.

Late Mr. D. J. Leahy, M.L.A.

THE PREMIER (Hon. D. R. McLarty—Murray-Wellington) [3.3]: I move—

That this House desires to place on its records its profound sense of the loss sustained in the passing of the late Mr. David Joseph Leahy, a member of this House, and that an expression of the sincere sympathy of members be conveyed to his widow and family by Mr. Speaker.

As members know, the late Mr. Leahy passed on during the parliamentary recess. He was a member of this House for 10½ years and represented the constituency of Hannans. It can be truly said of the late gentleman that he was of a kindly disposition and, because of that, he was respected by all members of this Chamber irrespective of party considerations. The late Mr. Leahy had engaged in the goldmining industry and for a number of years he worked underground. He thus obtained an intimate knowledge of the mining industry and members will recall that when he spoke in this Chamber his utterances commanded respect because of the practical views he expressed. While the late gentleman held strong party views, it can be said that he held them without any bitterness and always put his opinions forward in a well-reasoned manner. I feel it was because of his friendly disposition that he was so much respected by all those who came in contact with him.

HON. F. J. S. WISE (Gascoyne) [3.5]: I desire to support the motion moved by the Premier. The late Mr. Leahy was a personality in this Chamber that will be sadly missed. He not only endeared himself to all members by reason of his pleasing personality, but because of the obvious sincerity displayed in his make-up and his obvious knowledge of the subject he dealt with at any time he spoke in this Chamber. It is sad to think that he was another that industry claimed as its victim, and it is perhaps appropriate that he was one who took such a prominent part in moulding legislation to alleviate the suffering of those engaged in industry. I am sure that all who knew him in this Chamber, not only those who recognised in him a colleague and a mate, but other members too, will miss his pleasing personality and pleasing voice, and will also miss him because of the character of the man himself.

Question put and passed; members standing.

BILLS (5)—FIRST READING.

- 1, Building Operations and Building Materials Control Act Amendment (Continuance).

Introduced by the Minister for Housing.

- 2, Land Sales Control Act Amendment (Continuance).

Introduced by the Minister for Lands.

- 3, Interpretation Act Amendment.

Introduced by the Attorney General.

- 4, Tuberculosis (Commonwealth and State Arrangement).

- 5, Mental Institution Benefits (Commonwealth and State Agreement).

Introduced by the Minister for Health.

ASSENT TO BILLS.

Message from the Governor received and read notifying assent to the following Bills:—

- 1, Land Tax.
- 2, City of Perth Electricity and Gas Purchase.
- 3, Marketing of Apples and Pears.
- 4, Matrimonial Causes and Personal Status Code.

QUESTIONS.

PARLIAMENTARY SESSION.

- (a) *As to Adjournment and Members' Interests.*

Hon. F. J. S. WISE (without notice) asked the Premier:

What arrangements has the Premier in mind in the interests of all members in this Chamber to overcome the disabilities which members might suffer under Standing Order 59 and under Sections 38 and 39 of the Constitution Acts Amendment Act? Standing Order 59 reads as follows:—

No member during the Session shall absent himself for more than fourteen days at a time without an express leave of absence from the House; and any Member wilfully infringing this order shall be guilty of contempt.

Section 38 of the Constitution Acts Amendment Act reads:—

If any Member of the Legislative Council or Legislative Assembly, after his election—

- (5) Fails to give his attendance in the Legislative Council or in the Legislative

Assembly, as the case may be, for two consecutive months of any session thereof without the permission of the said Council or Assembly, as the case may be, entered upon its journals. . . .

his seat shall thereupon become vacant: Provided that members accepting offices liable to be vacated on political grounds shall be eligible for re-election.

Section 39 provides—

If any person under any of the disqualifications mentioned in this Act shall presume to sit or vote as a member of the said Council or Assembly, such person shall forfeit the sum of Two hundred pounds, to be recovered subject as hereinafter provided

Since this is the same parliamentary session as that in which we were engaged when the House adjourned, does the Premier intend to take the steps necessary to protect the interests of members who may not be qualified to sit; or, alternatively, does he intend to take the necessary steps to have every seat declared vacant?

The PREMIER replied:

I would ask the Leader of the Opposition to give notice of this question. I had no knowledge of it until he put it and would like to give consideration to the matter.

Hon. F. J. S. WISE: This is a very serious matter.

Mr. Marshall: I am not going to lose £200 just to sit and look at you!

Hon. F. J. S. WISE: It is a matter much removed from any jocularity. If the Premier has not been advised of what could happen if members continue to sit and vote, I suggest that he immediately take steps to have such advice tendered to him.

- (b) *As to Protection for Members.*

Mr. MARSHALL (without notice) asked the Premier:

In view of the Premier's reply to the question of the Leader of the Opposition, will he give us a guarantee that in the event of our sitting and voting, against the Constitution, legislation will be introduced to protect us, because I do not propose to take the risk?

The PREMIER replied:

As I told the Leader of the Opposition, I will give immediate consideration to the questions put by him and will let him have an answer tomorrow. In the meantime, I will take note of what the hon. member has said in regard to the liability of members sitting in the House.

LOCAL GOVERNMENT BILL.

As to Distribution of Copies.

Mr. NEEDHAM (without notice) asked the Minister for Local Government:

(1) Is he aware that the Perth City Council did not receive a copy of the Local Government Bill until the 2nd May and not on the 3rd March as stated by the Premier in the Press this morning?

(2) Is he further aware that other local governing bodies did not receive a copy of the Bill until long after the 3rd March?

(3) In view of that fact, will he agree to the request to postpone the date for the receipt of amendments from local governing bodies until the 15th September?

The MINISTER replied:

(1) No.

(2) Yes, because the 3rd March was not the date that was to be in print in "The West Australian." On account of a typographical or printer's error the 3rd March was printed in lieu of the 31st March. The figure "1" was dropped somewhere in transit.

Hon. A. H. Panton: Surely "The West Australian" never makes a mistake!

The MINISTER FOR LOCAL GOVERNMENT: I am not suggesting it did.

Hon. J. T. Tonkin: The 31st would not be right, either.

The MINISTER FOR LOCAL GOVERNMENT: That is the date they began to be distributed.

Hon. J. T. Tonkin: A lot of local authorities did not get a copy until the end of April.

The MINISTER FOR LOCAL GOVERNMENT: The answer to Question No. 3 is that the time for the receipt of amendments is any time when the Bill is before either House of Parliament.

POLITICAL PARTIES.

(a) As to Transfers to Liberal and Country League.

Mr. HEGNEY (without notice) asked the Premier:

Will he inform the House as to—

(1) The number of members of the Liberal Party in the Government?

(2) The number of members of the Country and Democratic League?

(3) The number of members of the Liberal and Country League?

(4) The date on which the Liberal members became members of the Liberal and Country League?

(5) Whether any consideration was given to the question of resigning from Parliament by those members who changed from one party to another?

The PREMIER replied:

I do not know that this is a Parliamentary question.

Mr. Hegney: It is very parliamentary!

The PREMIER: I would regard it as a somewhat frivolous one. However, in reply to the hon. member, there are five Liberal and Country League members in the Government and five Country and Democratic League members. This is already known to the hon. member.

Hon. A. H. Panton: Who has the casting vote in that case?

The PREMIER: The date on which the Liberal Party members became members of the Liberal and Country League was notified in "The West Australian" some time back. No consideration was given by any member to resigning from Parliament.

(b) As to Premier's Affiliation.

Hon. J. T. TONKIN (without notice) asked the Premier:

As the Liberal Party has gone out of existence, and as the Premier did not notify the L.C.L. within the stipulated time that he had joined it, to what Party does he belong?

The PREMIER replied:

For the information of the hon. gentleman, I belong to the Liberal Country League.

Hon. J. B. Sleeman: In view of the inconsistent running of the member for Beverley, will the Premier order a swab to be taken?

(c) As to Submission of Projected Legislation.

Mr. GRAHAM (without notice) asked the Premier:

(1) Is it a fact, as reported to have been publicly stated by a Party supporter of the Government, that the Government has been

requested by the Liberal Party, or its President, Mr. Downing, to submit projected legislation to that Party for consideration prior to its being introduced to Parliament; and

(2) What is his reaction to this proposition?

The PREMIER replied:

I have had no such request from Mr. Downing and, so far as the member is concerned, I am not responsible, of course, for the statement made.

HOUSING.

(a) *As to Spec. Building, Labour and Materials.*

Mr. HEGNEY (without notice) asked the Minister for Housing:

(1) Is his decision to enable spec. builders to operate based on a recommendation of the State Housing Commission?

(2) Will the materials and labour required be drawn from supplies available to the Commission?

(3) If the reply to Question No. 2 is in the affirmative how will the building programme be accelerated?

The MINISTER replied:

(1) The decision to provide a limited opportunity for building ready-made houses was a decision of the Commission and not of the Government although I was consulted and thoroughly approved of the proposal.

(2) There are no materials and labour specifically held or claimed by the Commission as such; but what will happen regarding ready-made houses—and I am very pleased the hon. member has given me the opportunity of saying so at this early stage—is that a limited programme of ready-made houses will be constructed by registered builders. They will be sold at a price fixed by the Land Sales Regulation Branch, and applicants for permits to build whose priority of need entitles them to a permit will have the option of acquiring a ready-made house instead of building under their permit. The result is that the ready-made house will satisfy the requirements of an applicant who otherwise would build a house under his own architect and builder and according to his own design. Ready-made houses will therefore replace houses that would otherwise be built by people who by

virtue of their priority become entitled to a permit to build privately. It will be a substitutionary process and will not affect the quantity of building material normally available. As it is expected to attract more builders into the industry it should, in my opinion, and in the opinion of the Commission, result in more active builders being available to build houses and, therefore, consistent with the volume of materials, mean the production of more houses.

(3) There has been a considerable number—running into some hundreds—of registered builders who did not come back into the building trade, and this measure is calculated to encourage them to return in some degree to house-building.

(b) *As to Increased Jarrah Supplies for South Australia.*

Mr. FOX (without notice) asked the Minister for Housing:

(1) Did he notice a statement in the Press during a recent visit of the Premier of South Australia to this State that he desired to secure increased supplies of jarrah for South Australia?

(2) What arrangements did the Premier of South Australia make with this Government for increased supplies of jarrah to South Australia?

(3) Were any contracts entered into with any timber milling company for increased supplies of jarrah to South Australia?

The MINISTER replied:

Like the hon. member, I heard that the able and enterprising Premier of South Australia desired to secure additional timber supplies from this State and that he would like to have seen me on the subject. However, he did not see me.

Hon. A. R. G. Hawke: Why?

The MINISTER FOR HOUSING: Because he was not going to get any additional timber supplies. He did not know that but I did.

Hon. A. R. G. Hawke: You did not even see him!

The MINISTER FOR HOUSING: No.

Mr. Yates: Did he get any more timber?

The MINISTER FOR HOUSING: He did not. The position is that the conservation of timber for our own needs is regarded as a first priority in the Government's policy, subject to certain factors in

the timber industry to which attention must be paid. No contracts and no promises regarding timber have been made to the Premier of South Australia or to any other State.

(c) *As to Timber for Spec. Builders.*

Mr. FOX (without notice) asked the Minister for Housing:

If the first priority for timber is for the Government, how are the spec. builders going to get any timber?

The MINISTER replied:

I meant to convey that first priority is given to the people of this State. No specific priority is given to the Government and it receives its equitable share in conjunction with other people of the community who need timber supplies.

STATE BUDGET.

(a) *As to Date of Introduction.*

Hon. F. J. S. WISE (without notice) asked the Premier:

Has he any idea when the Budget might be introduced, and if it is likely to be introduced before the normal time of late September or early October?

The PREMIER replied:

I would anticipate at this stage that the Budget would be introduced somewhere about the third week of July. I am unable to say definitely at this stage, but that is what I am aiming at.

(b) *As to Duration of Debate.*

Hon. F. J. S. WISE (without notice) asked the Premier:

Pursuant to the Premier's answer to my question, does he anticipate that the usual 10 or 11 weeks' debate on the Budget will be possible during this session?

The PREMIER replied:

I would say that ample time will be given to members to discuss the Budget.

(c) *As to Availability of Auditor General's Report.*

Hon. F. J. S. WISE (without notice) asked the Premier:

Does the Premier intend to introduce his Budget before the Auditor General's report is available?

The PREMIER replied:

It is my desire that all information that has been available in regard to recent Budgets shall be provided in regard to the Budget I propose to introduce.

TIMBER INDUSTRY.

As to Benefits for Workers.

Mr. REYNOLDS (without notice) asked the Minister for Forests:

(1) Did he not, on the 20th September last, on the floor of this House, say in reply to my motion re amenities for timber workers—

I also wish to get some more information on this matter by consultation with those engaged in the industry, both the saw-millers and the Union, and parliamentary representatives who have a special knowledge of the details of the industry. I hope it will be possible to arrange a conference which the Union, parliamentarians and millers will have an opportunity of attending in order to discuss what can be attained progressively in improving the conditions of life in the industry?

(2) Did he not subsequently state to me that this conference would be called early in the new year?

(3) Did he not say in a letter addressed to me on the 27th May last—

With reference to your motion in Parliament last year in connection with amenities for timber workers at our forest mills, I have arranged with the Conservator of Forests that he should call together representatives of the Timber Workers' Union, and of the Saw-millers' Association for the discussion of any practicable measures that could be undertaken with the idea of progressive improvement of the amenities position for those working on the mills. I shall be glad to advise you later of the outcome of the discussions?

(4) Why has he not adhered to the original composition of the conference as promised by him on the floor of this House?

The MINISTER replied:

(1) Yes.

(2) It was my intention that a conference should be called as early as possible in the current year.

(3) In May last I wrote a letter to the hon. member in the terms which he read out.

(4) With regard to the conference mentioned by me, on consideration I thought that the initial discussion would be more likely to make progress if it took place between the representative or representatives

of the Timber Workers' Union and the representatives of the sawmillers under the chairmanship of the Conservator of Forests, rather than that it should take place in the presence of the people I have mentioned plus a large, important and valuable representation of parliamentarians who, I think, would outnumber—taking both Houses—very largely the actual people engaged in the industry. After this preliminary talk—which I hope will take place this week, or if not, in the very near future—has taken place, I will have pleasure in discussing with the hon. member and other members interested the matter of a further conference which parliamentarians may attend and at which the outcome of the initial discussions may be examined.

GAS STANDARDS.

As to Quality, Price, etc.

Hon. J. T. TONKIN (without notice) asked the Minister for Works:

(1) Are any of the provisions of the Gas Standards Act, 1947, with respect to the purity, quality, composition or pressure of gas being enforced?

(2) Has the State Electricity Commission determined the basic price for gas in accordance with the provisions of Section 5 of the Gas Undertakings Act?

The MINISTER replied:

(1) No, but I might advise the hon. member that Section 16, Subsection (5), will explain the nature of my answer.

(2) The basic price referred to is now in the process of being determined.

HOSPITALS.

As to Site at Midland Junction.

Mr. BRADY (without notice) asked the Minister for Health:

Has he recommended the purchase of a property at Midland Junction as a site for the new general hospital? If not, what is causing delay in the purchasing of a site?

The MINISTER replied:

No. This matter has been considered by the Priority Committee that has been set up by the Government, but so far no determination as to the building of a hospital at Midland Junction has been made.

WATER SUPPLIES.

As to Comprehensive Scheme.

Hon. A. R. G. HAWKE (without notice) asked the Premier:

As a radio station recently reported the Premier as having said to a very select audience that the proposals of his Government for a comprehensive agricultural areas water scheme are much more practical than the proposals of the previous Government on similar lines, if the Premier was then correctly reported, would he be good enough to indicate to the House why he holds that opinion?

The PREMIER replied:

The comprehensive water scheme being carried out by this Government is much less costly than that proposed by the hon. member when he introduced the Bill dealing with a comprehensive water supply. The fact that it is less costly and will require less material makes it a more practicable proposition.

MEAT.

As to Price.

Mr. NEEDHAM (without notice) asked the Attorney General:

(1) Is it a fact that a deputation recently waited on the Minister to discuss the high price of meat?

(2) Is it a fact that he told the deputation that it was impossible for the officers of the State Prices Branch to make a proper check on butchers' shops because of lack of staff?

(3) If that is the position, will he explain to the House why 30 officers of the Prices Branch were dismissed by this State Government shortly after the Prices Referendum?

The ATTORNEY GENERAL replied:

(1) Yes.

(2) and (3) No.

CHANDLER ALUNITE INDUSTRY.

As to Accuracy of Press Report.

Hon. A. R. G. HAWKE (without notice) asked the Minister for Education:

Was he correctly reported in "The West Australian" of Wednesday the 25th May, 1949, in that portion of the statement which reads—

Recently an advisory panel consisting of Mr. Watts, Mr. A. R. G. Hawke, M.L.A., in whose term of office as Minister for Industrial Development the industry was started, Mr. Fernie and the Under Treasurer, Mr. Reid, discussed the position. The panel recommended that if a further communication then prepared for the Commonwealth authorities did not produce a favourable result, Mr. Watts and Mr. Fernie should seek to discuss the matter with Mr. Chifley personally?

The MINISTER : replied :

I would say I was correctly reported. The hon. member probably is in doubt as to the time within which the communication in question should have been followed up. My note on the file is on all fours with the statement I made, but I will not argue the point on this subject except to say that when I made the statement I believed—and still believe—my note was correct.

Hon. A. R. G. Hawke: Most incorrect.

ELECTORAL.

As to Leederville Roll.

Hon. A. H. PANTON (without notice) asked the Attorney General:

(1) Is he aware that an electoral roll for Leederville has just been issued up to March 21st, 1949?

(2) In view of the Redistribution of Seats Act having now become law, does he not consider it a waste of money printing rolls under the old Act?

The ATTORNEY GENERAL replied:

I am not personally aware that the new roll has been issued, but I am advised by the Chief Electoral Officer that in order that the redistribution rolls should be properly compiled, it is first necessary for a complete and up-to-date existing roll to be taken out.

S.P. BETTING.

As to Prevalence.

Mr. MARSHALL (without notice) asked the Minister representing the Minister for Police:

In view of the fact that the Government has had two years and over of administrative office, and also the advice of that able, courageous and determined reformer, the Honorary Minister, can he state why it is that S.P. betting is more in evidence than when he and the Honorary Minister sat on the Opposition side of the House?

The MINISTER FOR HOUSING replied:

On behalf of the Minister for Police I invite the hon. member to put the question on the notice paper but I would say from my own observations that I do not agree with his premises that there is more betting now than there used to be.

BILL—LOCAL GOVERNMENT.

Second Reading.

THE MINISTER FOR LOCAL GOVERNMENT (Hon. A. F. Watts—Kataning) [4.5] in moving the second reading said: I introduce the second reading of this measure today with a feeling of considerable pleasure. It is high time, for reasons which I will give later, that the practice of letting this matter stand, as it has for approximately 23 years, should be terminated, and Parliament at least asked to give consideration to a proposal which codifies and alters the existing law. Except possibly in one or two principles, I do not propose that this measure should be dealt with in any Party way. I believe that it should be considered by every member on its merits, because I am convinced that that will achieve a more satisfactory result.

The first suggestion for a Local Government Act to embody the Municipal Corporations Act and the Road Districts Act came from the Metropolitan Local Government Association in March, 1926. In a letter the secretary of the association requested that an endeavour be made to get the Minister's immediate attention regarding this important matter. In that year, the Metropolitan Local Government Association comprised all local governing bodies in the metropolitan area, and the executive committee consisted of His Worship the Mayor of Perth, as chairman, and the mayors of Subiaco and Midland Junction and a councillor of the Fremantle Council, as well as members of the Claremont, South Perth, Perth and Melville Road Boards.

During 1927, the then Solicitor General—I believe it was Mr. Sayer—devoted considerable time to the preparation of a Local Government Bill applicable to municipal and road districts. It was intended that the Bill would substantially re-enact existing provisions of the two Acts. In August, 1927, the then Minister for Works suggested to the Solicitor General that the Bill

should take the form of a local government Bill, and should be prepared during the next recess. The proposed Bill, however, was not proceeded with.

In "The West Australian" of the 16th December, 1939, appeared the following:—

Local Government. One Controlling Act Suggested. A suggestion that metropolitan local authorities should be controlled by one Act of Parliament instead of two—the Municipal Corporations Act and the Road Districts Act—as at present, was contained in a letter from the Canning Road Board received at a meeting of the Local Government Association at Midland Junction last night.

The letter stated that the board desired the Association's opinion as to the desirability or otherwise of having a Local Government Act. The meeting decided to seek the opinion of the Minister for Works and Local Government, Hon. H. Millington, on the matter. The Local Government Association wrote inquiring the views of the Minister and in reply it was advised that he was prepared to give sympathetic consideration upon receipt of concrete proposals. In "The West Australian" of the 22nd January, 1940, there was a report of the proceedings of the Local Government Association in which it was stated that the Minister for Works was prepared to give consideration to the proposal that merely the metropolitan area be administered by local authorities under one Act of Parliament, instead of two.

This meeting appointed a committee consisting of the Town Clerks of Perth and Fremantle, and the secretaries of the Perth and Bassendean Road Boards, Mr. L. O. Grant of Cannington and Mr. G. H. Long of South Perth, respectively, to prepare a report on the amalgamation of the two Acts for consideration by local authorities. It was afterwards ascertained that the committee had shelved the matter from time to time and it was finally decided that no further action be taken until after the war had finished. In February, 1945, the General Secretary of the Australian Labour Party wrote to the then Minister for Local Government enclosing copy of a letter received from the Metropolitan Districts Council which read as follows:—

At the last meeting of the above council the Subiaco Branch of the A.L.P. forwarded a request that the Acts relating to road boards and municipalities be made to conform with

each other as far as is practicable. That request has been endorsed by the Metropolitan Districts Council and is forwarded to the State Executive for its consideration.

So it will be seen that up to that stage there had been a considerable amount of unanimity among not only local government bodies but also in high Government circles as to the desirability of combining the provisions of the Road Districts Act and the Municipal Corporations Act into one statute for the purpose of uniformity. In the meantime, in an endeavour to minimise work in connection with the rate books, the Road Districts Act had been amended authorising the local authorities to combine road, loan, health and vermin rates in the rate book in the one column and to make a monthly or other periodical allocation. In February, 1944, the Merredin Road Board addressed the Hon. E. H. Gray, M.L.C., stating that the board had approached several other of the road boards and officers with the result that it was decided to ask that, as a measure to come into effect after the war, pressure would be brought for the adoption of a Local Government Act to provide for general administration under the one Act. So there we begin to have requests not only by metropolitan local governing bodies but also a demand from the rural districts.

In March, 1944, the Under Secretary for Works, with the approval of the Hon. E. H. Gray, replied to the Merredin Road Board stating that the proposal was one of general effect, and it was therefore requested that the matter be first taken up by the Merredin Road Board with the Road Board Association. At the 25th conference of delegates of the Road Board Association of Western Australia, held from the 8th August to the 9th August, 1945, the following resolutions were carried:—

Merredin Road Board (merging Government legislation).

The Road Districts, Health and Vermin Acts be consolidated into one Local Government Act and that one rate be struck under such Act for all purposes of local government.

Victoria Plains Road Board (merging local government legislation).

Authority to levy a single rate for all activities of the Board but with power to differentiate between parts of the district.

At the 26th conference of the Road Board Association held from the 13th to the 15th of August, 1947, the Minister for Local Government which, in this case was myself, in officially opening the proceedings stated—

There is one other matter of importance that I wish to refer to, and that is requests that have been made for a Local Government Act and for reform of local government law where it may be desirable. As you know, at the present time we have a Municipal Corporations Act, which deals with municipalities, and we have a Road Districts Act, which deals with road boards, and there should be one known as the Local Government Act, which should apply both to municipalities and road boards.

In other parts of the world, in other parts of the Commonwealth, such legislation is in operation, and in order to prepare such legislation there is, of course, the necessity to review both statutes. It has been represented to me in very strong terms by certain road boards that there are parts of the Road Districts Act today which are archaic and which ought to be substantially amended. As Minister for Local Government I have discussed with officers of the Local Government Branch the question of investigating the preparation of a new Act and bringing up a report somewhere about the 31st March next for consideration in the 1948 session of Parliament. The deliberation of this conference will be the last one before that particular time, and I am going to ask you again if you have any suggestion to make in regard to that legislation.

This was fully considered at this conference and prior to its close the following resolution was moved:—

South-West Road Board Association (merging local government legislation): That one Local Government Act including municipalities be instituted in Western Australia.

and that motion, I understand, received the favourable acceptance of the conference.

At an executive committee meeting of the Road Board Association held at Perth on the 22nd April, 1948, the following information was made available:—

Composite Local Government Legislation: Reference was made to the consideration of the merging of the Municipal Corporations and Road Districts Acts by the special committee set up by the Minister for that purpose, and in case the proposals were made available to road boards prior to the next session of Parliament, it was decided that a special committee of five, consisting of the Chairman and Messrs. Piesse, Telfer, Lowe and Barrett-Lennard, should be appointed to review the proposed legislation, having regard to the interests of road boards.

Now we turn to the country municipalities. At a meeting of the Country Municipal Councils' Association of Western Australia held in Perth in April, 1948, the chairman of the association (Mr. P. C. Payne) in his

report covering activities of the association for its eighteenth year made the following statement—

Consolidation of Acts: After repeated representation by our Association, the present Government has decided to appoint a committee to bring down a composite Act to replace the Municipal Corporations Act and the Road Districts Act. This committee has already held six meetings, but in view of the amount of work that is involved, I feel that it will be some time before this composite Act will be presented to the Minister for Local Government.

The committee is in possession of the Local Government legislation of all other States of the Commonwealth. These are proving of great assistance to us in the framing of the proposed new legislation.

Mr. Payne went on to say—

I would here again stress that the work entailed in the consolidation of these Acts is considerable, and I trust that the municipal council and the road board members will not be impatient in what appears to be delay in bringing down this new legislation. The new legislation we are at present framing will give a rebirth to local government in Western Australia. Having all local government legislation in Australia to guide us, I consider our proposed legislation should be, when complete, all our humble form of Government can desire.

In the meantime, organisations representing local government were asked to appoint nominees to form the committee, and the Town Planning Commissioner was appointed convener. A senior local government inspector in the person of Mr. White was available for co-operation and assistance. In the result the following were appointed by the representative organisations:—The Road Board Association of W.A.—Mr. W. E. Stockdale, Secretary of the Perth Road Board and for some time Town Clerk of Albany. The country municipalities were represented by Mr. Percy Payne, the Mayor of Bunbury and the Country Municipalities Association's then president. The Local Government Association was first represented by Mr. McI. Green, the Town Clerk of the City of Perth—I think on account of ill-health he attended only two meetings—and he was then succeeded by Mr. Gibbon, the Town Clerk of Guildford. The Local Governing Bodies Officers' Association was represented by Mr. L. R. Latham, the Town Clerk of East Fremantle and for many years a road board secretary. It will be seen, therefore, that all sections of local government were represented on the committee by persons as nominees by the

organisations. Although invitations were issued in September, 1947, the last nominee was not appointed until December of that year.

The committee first met in January, 1948, and from then on at regular intervals until the draft Bill was ready for scrutiny. As the difficulties of the Crown Law Department were very considerable with other heavy work involved, Mr. G. Keall, who for many years had been the solicitor to the Perth Road Board, acted as legal adviser. The Bill was then scrutinised by the Minister and its new principles were subsequently accepted by Cabinet for consideration by Parliament. Nothing was added to the measure that the committee did not propose. The only alterations made were comparatively minor and because of the non-acceptance of some proposals of the committee. I emphasise, however, that the alterations were comparatively minor. During the course of its deliberations, the committee was called upon to consider a multitude of suggestions received from local authorities and other sources, and close consultation took place between the Minister and the committee and administrative officers on matters of difficulty.

I wish to make it clear at this stage that the Government and, I believe, the State, is indebted to these gentlemen—I hope that this expression of appreciation will be placed on public record—for the honorary and conscientious services they performed, which took up a considerable part of their time including much of their leisure. It involved a considerable amount of work not only in studying the Western Australian statutes but in comparing them with the laws of the Eastern States, and the adoption of such parts of the latter as would fit the former. The committee gave that time willingly and conscientiously, and produced, I believe, almost unanimously—for the most part, it was unanimously—a measure that they contended would aid the future progress and development of local government in Western Australia, without any question whatever. In these circumstances I think it is naturally, members will agree, very desirable that this measure, which I say without fear of successful contradiction is 95 per cent. the work of the committee in discussion with myself and the representatives of the Local Government Department, should

receive the fairest and fullest consideration that can be given to it by a deliberative assembly.

The printing of the measure presented some difficulties and, as I stated in the House last December, when moving the first reading, I had conferred with the Acting Leader of the Opposition and obtained his concurrence in a suggestion that as soon as the Bill was printed, copies should be made available to every local authority and to every member of Parliament. It was hoped that this could be done in February, but electricity difficulties and pressure of business made this impossible and the Bill was finally despatched about the end of March, which was a month later than intended, on the understanding that the second reading would be proceeded with when Parliament again met.

At the time of the distribution, a memorandum shortly explaining the new principles in the measure was prepared and despatched to local authorities and members of Parliament. That memorandum was prepared as a result of the committee's deliberations and records and our acceptance of their and our own views. Since that time approximately two months have elapsed. During the passage of this Bill I would say that another similar period will follow. In view of all the circumstances of the case, the fact that it is the result of the committee's investigations and report and that there will be ample opportunity for the expression of varying points of view during the second reading, and also the fact that this legislation has been asked for in general terms over a period of approximately 23 years, all would indicate to me that there has been no undue haste, but rather to the contrary.

Furthermore, it would indicate that there have been no restrictions placed upon those concerned, but again I say quite to the contrary, thus enabling representatives of local authorities and others concerned to present their views regarding the legislation. In contradistinction, the measure has been available and in circulation for the last two months during which it has been in possession of members of this House. That adds two months to the period during which the measure has been available for consideration. I desire to point out that all the other States in Australia have only one local government Act under which all types of

local authorities operate. All Eastern States' legislation was available to the committee for careful scrutiny, and, as will be noted from some parts of the Bill, portions have been embodied in, or adapted to, this legislation.

Some sections of local authorities frequently ask for greater powers. Some of them do not appear to recognise the powers they already have, or at least are slow in exercising them. I would say, however, that the Bill is a genuine and comprehensive attempt to place local government legislation in Western Australia on the highest possible level to increase, where practicable, bearing in mind the differing circumstances of the districts, the prestige and opportunities for good local government by the local authorities. I would suggest that criticism of the Bill engendered by such a question as "How does the provision in the Bill affect my particular area?" rather than the advancement of local government generally cannot be treated too seriously. For instance, objection has been taken by a limited number of local authorities to the system of valuation for rating proposed in the Bill.

The present position is that some local authorities adopt taxation values in full; some adopt taxation values less 25 per cent.; some less 35 per cent.; some less a reduction on a sliding scale worked out on some supposedly equitable graph scheme. The last mentioned method is open to considerable objection. As an example of one local authority using this scheme, I cite the following:—

One block of land, taxation value £100, local authority value £100. Four such blocks of land, taxation value £400, local authority value £400.

One block of land, taxation value £400, local authority value £280.

One block of land, taxation value £800, local authority value £520.

It will be noted that in these cases the small landholder is unduly penalised in proportion to the holder of more desirable and valuable land. Another local authority has this example—

One block of land, taxation value £100, local authority value £100.

One block of land, taxation value £100, local authority value £280.

One block of land, taxation value £800, local authority valuation £395.

Mr. Wild: Under what system is that?

The MINISTER FOR LOCAL GOVERNMENT: The graph system. I believe it is possible in certain cases to rate fairly on that basis; but I cite these two examples as showing that in my opinion it has not by any means always been done with any justification or fairness. But adjoining these two local authorities is another local authority where taxation values are adopted in full over the whole of their districts. Members will not have forgotten the position some years ago that was considered by this House on a motion—I think by the Hon. H. Millington—that the Perth City Council should create a special tribunal to review its valuations. I think on all counts that an approach to uniformity is extremely desirable.

I propose now to deal with some of the major provisions of the measure. Provision is made for a mayor to preside over the council of a city or town and for a president to preside over a district council. In effect, district councils will be likely to take the place of what is now known as the road board. The name "road board," as I think members will agree in view of the multiplicity of duties imposed on road boards during the last quarter of a century, is no longer suitable. They take on so many other duties greater and more involved perhaps than the making and maintenance of roads that it is time the example set both by the other States and other countries should be followed here. It is proposed that the municipal and city councils should be described as town and city councils respectively, subject, of course, to the power of the Government to amend the boundaries on the terms set out in the Bill.

But some question has arisen as to the desirability of what the Bill proposes, namely, the election not only of the mayor but also of the president of the district council by the ratepayers rather than by the members of the council itself. One argument is that if one Act is to govern these two types of administration, which may be termed respectively urban and rural, it is desirable that the method of electing the chief executive officer should be the same in both cases. I have been somewhat astounded during the past two years that I have been in office as Minister for Local Government to find the number of times I have had to elect a road board chairman because the road board members could not agree upon the

person they should elect. I think I am correct in saying that in eight or nine instances in the last couple of years this has been the case.

Mr. Marshall: Is that responsible for your bad administration of some of these boards?

The MINISTER FOR LOCAL GOVERNMENT: I can only do my best, and that is difficult at times. Under the Act, the board must be given a second opportunity. Should that fail, it becomes under the present law the responsibility of the Minister to deal with the matter. I cannot see that there is any better proposal than that a reasonably democratic system should apply and that the chief executive officer, as I call him, of a local authority should be elected by the ratepayers, to whom he should be responsible, and not to any particular area or ward of the local authority. I therefore have no qualms of conscience in submitting this proposal for consideration.

In regard to the alterations of municipal areas, provision has been made to retain the right of petition, but a new provision is that on receipt of a petition the Minister shall either refer the petition back for the holding of a poll of ratepayers or refer it to an advisory board. It is provided, in order to ensure better the bona fides of petitioners, that a deposit of £20 must be lodged with the petition. If a poll is held and the petitioners get 40 per cent. of the votes cast, the deposit is returned to them in full; if not, they get the deposit back less whatever expenses have been incurred by the local authority in holding the poll; or, if the advisory board acts and recommends their petition, or substantially so, then the deposit is returned to them. It is desirable to provide for a deposit in order to prevent the issuance of what might be termed frivolous petitions.

Another controversial matter is the provision for elections to be held once every three years. I would like to interpolate here that triennial elections operate in Queensland under Section 7 of the Queensland Local Government Act, and in New South Wales under Section 39 of the Local Government Act of that State. In Queensland a roll is prepared only once in each three years, this being done in time for the triennial election. In that State vacancies are filled by co-option, except in the case of the mayor of a town, which

includes a city, a vacancy in which position is filled by election if the vacancy occurs within two years after his election. Under the New South Wales Act, by Section 64, provision is made for a complete roll for each triennial year and a supplementary roll for the two intervening years, which is the proposal embodied in this Bill. It has been argued that the proposal whereby a third of the members retire each year makes for continuity of policy and that a triennial election system will do the very reverse. I cannot subscribe to that argument. I do not think that is the effect.

If we were to change our parliamentary system to an annual retirement of one-third of the members, it would not improve existing conditions at all. I contend that, given a period of three years, a council would be able to lay down a policy and carry it out. It is almost a certainty, as has been experienced time and again in the Legislature, that a reasonable proportion of the members will be returned, so that in my opinion the question of continuity does not arise. I cannot see why the local authorities should be put to the trouble and expense of annual elections and annual rolls, as they have been in the past, unless it can be shown that there is some very great advantage to be derived from the continuance of the present system, but I frankly confess that I cannot see it.

Mr. Styants: Do you think that by having an annual election more interest would be created?

The MINISTER FOR LOCAL GOVERNMENT: No, rather the contrary. More interest would be achieved at the end of three years because then the whole of the activities of the council over a reasonable period would be up for discussion. I am of that opinion and it is the opinion of the committee to which I have previously referred.

Hon. A. R. G. Hawke: You could not have much less interest than there is at the present time.

THE MINISTER FOR LOCAL GOVERNMENT: It is a matter of opinion. I have expressed my opinion, and I hope the hon. member will be good enough to express his in due course. Members will be required to have paid their rates. That is something which has been asked for many times by local authorities, that is, that a man should not be allowed to stand until rates struck up to six months before his nomination shall

have been paid. The Bill makes that provision. In the case of a mayor or president, it is provided that he shall have had at least two years' service as a mayor, president, councillor or road board member, except in extraordinary circumstances when no qualified person nominates.

Mr. Marshall: That does not seem to come out right in certain cases.

THE MINISTER FOR LOCAL GOVERNMENT: There may be difficulties in the way, but I do submit to the House that there is a valuable thought here, and that is that we should not have entirely inexperienced people placed at the head, and occupying the chief administrative office of a local authority. They should not be people who have no knowledge or experience of the Act and regulations under which they are working. The mayor or president should be the one to guide. It seems to me that the proposal is worthy of considerable thought, and I personally am strongly in favour of it.

Mr. Marshall: If you had a communist who had experience, and a real good citizen who had not, the latter could not stand.

THE MINISTER FOR LOCAL GOVERNMENT: We can adjust those difficulties, and deal with them in the Committee stage of the measure.

In regard to the qualifications of voters, provision has been made for all owners of land to be enrolled, and also all occupiers who claim the right. Provision has also been made for the spouse of a resident owner to be enrolled as occupier. It has been suggested that somebody is being disfranchised by this method, but I suggest that that is not so. Rather, the owner who previously has been excluded by the occupier will get a vote. The occupier will still get a vote. He will, as every other elector has to do, have to seek enrolment, but that is not regarded as a hardship, I think, in connection with the Legislative Assembly, the House of Representatives, the Legislative Council, or any other electoral body. Therefore the occupier, if he cares to take an interest in local government, will be entitled to his vote as will also the spouse of the owner, whether that spouse be male or female.

So it was the considered opinion of the committee—and it is mine—that as a result there has been some addition to the number

of persons qualified to vote at a local authority election. I have, therefore, no hesitation in saying that I think this is a satisfactory position. In regard to the question of obtaining the names of occupiers to be put on the roll, especially in the larger municipalities where, of recent years, occupiers have had to be enrolled as a matter of course, I refer to the "The Municipal and Road Board Gazette" of the 25th September, 1936, where one, H. W. Taylor, the then City Treasurer, wrote an article headed "The Preparation of the Municipal Electoral Roll." Mr. Taylor said—

The preparation of the electoral lists and rolls for a large municipality such as Perth is a task of some magnitude and considerable expense. The operations in connection with the compilation of the rolls are spread over a fairly lengthy period and a good deal of casual clerical labour is engaged in addition to the work of a number of the permanent staff.

Then he went on to say—

Personally I think the Act should be amended to give both the occupier and the owner a vote.

Later he said—

The actual beginning of the preparation of the roll commences about May in each year when several temporary clerks are sent round with the valuer's field books to every house, shop, etc., in the district. The men visit every property and secure the names of tenants, changes of address of owners, latest rentals, see that correct house numbers are fixed on each house or shop, and obtain much other useful information. At the beginning of July, three or four typistes are engaged.

Finally he says that the rolls cannot be made ready much before the first week in November. The elections took place at that time at the end of November. So it is not a simple matter to insist, especially as the municipalities grow bigger and bigger that every occupier should be enrolled as of course. I can see no objection to placing the occupier—by no means disfranchising him—in the position of every other elector, namely, that he is entitled to make a claim and be enrolled. That is what the Bill provides, or is intended to provide. The Bill clears up something that has been regarded as somewhat uncertain in the past. Provision is made that no person may exercise votes in both a representative and personal capacity so that he will have more than four votes in the case of an election for mayor or president, and two in each ward for councillor.

It is on record that one ratepayer in a local authority area once claimed and received 67 votes because of the number of representative capacities in which he could act. I am aware myself of a case some 15 years ago when I was a member of a local authority and acted as returning officer, when a claim was made on me by one ratepayer for 27 ballot papers, for the same reason. I refused to issue them to him. We had a very friendly argument over it with the result that it was referred through the Local Government Branch to the Crown Law Department, if I remember rightly. I was advised that the issue of four ballot papers only, was correct, but even in the last election or two, so I am informed by local government officers, as many as 67 votes were claimed by one person because of the representative capacities in which he held property.

Mr. Styants: That property was voting.

The MINISTER FOR LOCAL GOVERNMENT: Actually so. Of course, I entirely agree that there must be some limit placed upon that. I submit for the consideration of the House the proposal that is in the Bill. Provision is made that the town clerk or the clerk of the council is to be the returning officer for elections unless he is not available, when some other appointment can be made by the council. I think that is more desirable than that a member of a council or a member of a road board should be appointed the returning officer. The work, I would say, especially as local government areas get more thickly populated, will require more and more to be done by somebody who knows his way about in this election business; and the town clerk should, especially after a few years of service, become an expert in such matters.

It is proposed that the existing system of postal voting should not be continued, but that persons wishing to vote in absence should apply to the returning officer in writing, who will send them ballot papers. That is an adaptation, I would say, of the system which prevails in Federal elections. The vote is to be given before an authorised witness—which is by definition much wider than the limited number of appointees under the present system—who then seals up the vote which is sent to the returning officer. Applications for absent votes close at 12 noon on the Thursday if the election is on the Saturday. Extraordinary elections

have a provision that if no nomination is received for the extraordinary vacancy, a council may co-opt a person to fill such vacancy for the balance of the term without the holding of an election. That is not such a strange proposal as some members may think because it has worked quite effectively, I am told, in South Australia. We have had country local authorities in particular who have advertised three times for the filling of a vacancy and have not received one nomination. Therefore to me it seems desirable, at least to some extent, that there should be a principle for the council itself to determine such a vacancy if it cannot otherwise be readily filled.

Mr. Marshall: Surely you have a provision to justify its action in that regard. You would not suggest that the vacancy could be filled by vote of the remaining members so that they could get someone to fill the vacancy.

The MINISTER FOR LOCAL GOVERNMENT: They must call for nominations.

Mr. Marshall: How many times?

The MINISTER FOR LOCAL GOVERNMENT: I think the method provides for once only. Of course they must call for nominations and I readily agree with the hon. member there. Provision has been made for councils to choose a system of ordinary or preferential voting, as they think fit.

Hon. F. J. S. Wise: Do you not think that is dangerous?

The MINISTER FOR LOCAL GOVERNMENT: No, I do not think it is, provided they make the choice. It has to be recorded. The Road Board Association has asked many times for a system of preferential voting and the municipal councils have it at the moment. There are differences of opinion as to its workability, and the committee, after argument with myself, agreed that it would not do any harm to give local authorities the optional system provided it was placed on record. It is intended to introduce an amendment to the clause which provides for the counting of preferential votes, because it has been discovered that there is an ambiguity in the provisions which ought to be removed. An amendment will be made to make the position in regard to the counting of votes perfectly clear.

Provision is made that both disputed returns, which are now dealt with in some cases by the local courts, and the question of ouster from office—which are extraordinarily rare and are dealt with by the Supreme Court—are to be dealt with by a magistrate in the local courts. Power has also been given to supersede a council although I am told that for the last 25 years, and it may be for a longer period, no council has been superseded. I think it is a salutary power to have there because it does act as a warning to anybody who may become rash. It will mean that there is a way of overcoming the rashness of such a person.

Mr. Styants: A means of retarding.

The MINISTER FOR LOCAL GOVERNMENT: That is so. The measure provides for officers to be qualified and for the approval of the Minister to be obtained before a clerk, engineer or building surveyor may be appointed or dismissed. Some exception has been taken to the cases in this measure where the consent of the Minister, or the Governor, is required before certain things can be done. I have available for discussion in Committee, if necessary, a complete list of all these cases. In the majority of them there is sound reason for the action taken, although I think one or two of them might have gone by the board.

However, to deal with the specific case in regard to the appointment and dismissal of servants of the board or council, I consider that the Minister has two duties, firstly to see that the best possible man out of those applying for the job is made available to look after the ratepayers' business. Many local authorities, without any question whatever, immediately pick out the best man and the Minister's approval is a matter of course only, as the Leader of the Opposition will know from long-past experience, but there are cases where one has to inquire of the local authority its reasons for suggesting the appointment of such a person. Very often in such a case the local authority puts up another appointee because it realises that it has made a mistake.

The other, and I think the more useful duty of the Minister, is to prevent unfair dismissals. In my own short term of office there has been one but that was necessary. In the preceding three or four years I am told there were two others where injustice would undoubtedly have been suffered by

the responsible officer, and there would probably have been some unpleasantness between himself and his local authority. I would add that another board came to me and asked me to dismiss its secretary for incompetence, and on inquiry I found that the request was justified. Why a local authority would not do it on its own behalf has not been made clear to me, but the fact remains that its members asked me, I think in so many words, to take action and look into the matter with a view to the man's dismissal. I contend that that particular section is one which has given good service, particularly in the Road Districts Act, and ought to be part of the procedure in regard to local government. I am convinced that it will not be used to retard or injure local government, quite to the contrary, and it might be necessary on some rare occasions when more harm than good would be done if it were not in the legislation.

Some alteration has been made in the provision regarding the interests of councillors and as to when they can vote. Councillors claiming exemption from disqualification under the "Ordinary Course of Business" provisions have been limited by the Bill to the supply of goods or services not exceeding £100 per annum. I think that amount may reasonably be increased, particularly in view of the greatly enhanced cost of commodities and I propose to ask the House to agree to it. No double vote will be given to the mayor or president under the Bill. He will have a casting vote only in each case. He will vote only in the case of equality of votes at a meeting of the local authority.

Mr. Styants: I think that is rather questionable.

The MINISTER FOR LOCAL GOVERNMENT: The hon. member thinks he should have a deliberative vote as well as a casting vote? There is some argument in favour of that proposal and it can be discussed during the Committee stage.

Mr. Marshall: If he does not represent a ward then he should not have any more than one vote.

The MINISTER FOR LOCAL GOVERNMENT: Well there are the two points of view! Personally I favour the idea of giving him a casting vote only but there is strong argument which can be adduced to give him a deliberative and not a casting vote. Provision is also made for a council to delegate

to a hall or library committee its full powers of management of such hall or library, with the consent of the Minister. This is virtually carrying into this Bill what was in a Road Districts Act Amendment Act introduced by the member for Canning and passed a couple of years ago. At least it is intended that the effect be the same as in that measure.

New bylaw powers have been put in and, to give a few examples, there will be power to control the keeping of birds and dogs for breeding, which was asked for by the East Fremantle Council I am advised; power to make bylaws in regard to night tennis courts, which was asked for by the Perth Road Board; the control of hawkers, which bylaws have been strengthened and amended as asked for by the country municipal councils. Provision has also been made for the Governor to make general bylaws to be applied to all or any areas, which of course is a power that now exists and obviously is required because it may be necessary, as it was in the case of petrol pumps, to have uniform bylaws applied to all local authorities throughout the State. Bylaws are to be certain and not to reserve discretionary powers.

Certain bylaws have come up in recent years where it has been at the discretion of the council whether an offence or an error has been committed by the ratepayer or some other person. The regulations may say that this or that shall not be done, but the council in its discretion may say what a person can do. It is considered, and I agree with the contention, that if a council desires a bylaw to be in existence prohibiting or regulating the doing of anything, that regulation should apply to all persons and it should not be at the discretion of the council to exercise the power of saying that a person may do something else. That is the reason for the insertion of this provision in the legislation.

Mr. Marshall: You have had some bad bylaws and you will have them in future. This will not have any effect.

THE MINISTER FOR LOCAL GOVERNMENT: We can only try.

Mr. Marshall: They are given the task of administering the law.

THE MINISTER FOR LOCAL GOVERNMENT: At least, we can try to deal with the situation and do away with the discretionary power of a local authority. It is a

power that I do not wish for and I hope the local authorities do not desire it. On the question of the sale of land, at present that is carried out under the Municipal Corporations Act, subject to the consent of the Minister. Under the Road Districts Act, there appears to be no power for a road board to sell such land. We know that land has been sold and I think any power of sale of land that a road board may have acquired has probably been under the Public Works Act and therefore would certainly require the assent of the Minister for Works. The provision embodied in this measure is the same as that which has existed for a very considerable time. In the great majority of cases, local authorities observe due precautions in the disposal of landed property, but it is only a few weeks ago that I received a communication from one board indicating that, though in its opinion the value was £200, it was desired to sell the land concerned for £100. I considered at the time that further information was required, because I could not see why land that was valued at £200 should be sold for £100. The member for Murehison will agree that further inquiries were advisable.

Mr. Marshall: You would not have great difficulty in putting the matter aside for further investigation.

THE MINISTER FOR LOCAL GOVERNMENT: If such transactions were permitted without restriction or any oversight, while it might be a little hard on the great percentage of local authorities, I believe they will suffer no detriment because the matter will be merely formal so long as everything is in good order. That is the existing provision of the law, so far as I can explain it. With regard to the sale of other assets, I propose in the Bill that the consent of the Minister must be obtained for the sale of loose assets but to seek an amendment of the measure in that respect. If we require that a local authority shall call for tenders, that is all we can reasonably ask, and I intend to suggest to members the deletion of ministerial control to that extent.

Mr. Marshall: You prohibit sale by private treaty?

THE MINISTER FOR LOCAL GOVERNMENT: Yes, and allow it only by tender. That is the proposal. Provision has been made in connection with contracts with

councils for the protection of workmen, and this will give a council power, if necessary, to deduct from the contractor's payments any amount that may be due to a worker engaged by that contractor. Power is also given for a council to be able to buy plant over a period of five years, and to a limited amount, by what is really time payment. That is done in order to avoid the necessity for the raising of a loan. That I regard as a reasonable proposal. The period of some loans extends beyond the period of the life of the plant itself, which may be as little as three or four or five years. It seems to me that the transaction could be done far better if it were lawful for a local authority to purchase it under a hire-purchase agreement. Thus it is proposed to give power to a local authority to negotiate a loan covering a short period, such as the life of the plant very frequently warrants.

Other alterations have been made relating to buildings. The Bill contains provisions regarding the building bylaws of a local authority which, of course, have to be approved in the first place by the Crown in the ordinary normal way. It is set out that these bylaws shall bind the Crown in respect of buildings erected in such areas. The committee felt—as I said before, I am in agreement—that all buildings should be subject to proper control. The appointment of a building surveyor has been made compulsory. It is not compulsory at the present time in relation to more than one section of local authorities, and I think it desirable that where what is known now as the Second Schedule applies with regard to buildings, there should be a building surveyor to deal with the matter, even if that officer should be employed only part-time, so that he can supervise the buildings that are erected under that heading; and that is the intention of the proposal.

Additional powers are included to strengthen the position of a council in regard to the erection of buildings or the alteration thereof without a permit, or departures from the plans and so forth. Power is given to punish an owner or builder permitting the use of, or using, a building built in contravention of the legislation or by-laws, while power is also given in the Bill to order the correction or demolition of buildings erected in contravention of the legislation. A daily penalty sufficient to deter such illegalities has been provided. A special

provision has been included setting out what trading concerns may be operated. Members will find them set out in the applicable clauses of the Bill. Provision has been made that any such trading concerns shall not be carried on at a loss while, at the same time, excessive profits are not to be made.

There will be, I have no doubt, some discussion with local authorities regarding some trading concerns, such, for instance, as electricity. It has been the practice to maintain in some areas fairly high rates for electricity and to make very substantial profits out of them to the relief of general rating. It is not considered that, as the State Electricity Commission comes into operation in a very large portion of the State, any local authority will be able to continue that procedure, because, obviously, even if the Electricity Commission did decide to sell electricity to a local authority in bulk, it would not allow that authority to retail it at an excessive figure, because the whole intention of the Commission would otherwise be nullified. It will be clear, as time goes on, that where the Electricity Commission operates, there will be a total absence of any local authority as a supplier of electricity or, alternatively, 'considerable control over them. Members can appreciate what the position would be if we were to allow a set of conditions to exist in one part of the State where excessive prices could be charged for electricity in relief of general rates, whereas the local authorities in other large areas would not have that opportunity. The Bill provides that the Minister may supervise the charges to be made and, if he considers them excessive, he can take action.

Mr. Marshall: I thought the price of electricity was regulated by the Price Fixing Commission.

The MINISTER FOR LOCAL GOVERNMENT: That is correct but, in this instance, we are dealing with legislation that will remain on the statute-book long after the other authority has ceased to operate, and we are preparing for a state of affairs where there is no overriding law. The provisions of the recently-passed local government superannuation measure are intended to be incorporated in this Bill. A scheme has been prepared and will shortly be gazetted, the regulations in connection with which I think it desirable to explain. In the preparation of this scheme, the Government has

been advised to a very great degree by Mr. Bromfield, whose long experience with regard to the death benefit funds of the Railway Department and of the Superannuation Board, extending over about 22 years, was extremely valuable, and also, where necessary, by the Government's Consulting Actuary, Mr. Gawler. In New South Wales, Victoria and Tasmania, somewhat similar legislation applies. In each of those States, a pool, headed by the A.M.P. Society, has been formed. In Victoria, only three other companies are included, while in Tasmania the whole of the business is handled by the A.M.P. Society. In New South Wales, four other companies are included, as is proposed in Western Australia.

These are companies that maintain about 90 per cent. of the total life assurance business. There are a number of other companies operating, but the respective proportions of the business conducted by them are small and the Government's Consulting Actuary, with whom the question of the Western Australian panel was discussed, was averse to the inclusion of more than the five companies—the A.M.P., the National Mutual, the Mutual Life and Citizens, the Colonial Mutual and the Temperance and General, of which the Mutual Life and Citizens is not included in Victoria. It has been ascertained that, after about 20 years of actual experience in Victoria without a uniform plan, one of the reasons for the introduction of the uniform plan was to avoid perpetuating the variety of miscellaneous schemes that had been in operation. The regulations will provide for a uniform trust deed, and great care has been exercised to ensure that the greatest benefits will be obtainable for employees covered, Western Australia being fortunate in being able to profit by the experience of the other States.

Various difficulties arose in finalising the scheme. The collecting commission of 2½ per cent. under the pool plan was not to be utilised to purchase additional assurance, but was to be placed in a reserve fund. It has now been arranged that this will be utilised to purchase additional cover. Our main object is to provide the largest sum payable by way of policy moneys the amount assured plus bonuses, at the time of retirement.

On account of a question arising as to the relative benefits between the pool system and the method proposed by the M.L.C. Society

in regard to the Fremantle local authorities, an undertaking was obtained from the A.M.P. Society that the acceptance of subscribers with existing M.L.C. policies would be on the same basis of assessment as the original policies under their previous arrangement, and a written assurance has also been received that the net result of the retirement, withdrawal, death and other benefits to be provided under the pool plan is certainly not likely to be less favourable. Investigation shows that the aggregate and individual benefits at the time of the maturity of the policy will be at least as good and probably better under the pool. In that direction we were able to take advantage not only of calculations made locally, but also of an analysis made recently in Victoria where the endowment plan for the employees of local authorities provides for the A.M.P. Society to be the principal underwriter.

Provisions of the impounding parts of the Cattle Trespass, Impounding and Fencing Act have been included in this measure, but have been considerably altered from what they were. The South Australian Impounding Act was used as a guide, but considerable variation from this and the Cattle Trespass Act was made.

Provision has been expressly set forth as to the separate funds which a council may or must keep, namely, municipal, for general purposes; special, for any special rate not expected to be used except extraordinarily—and, according to my advice, is unlikely to be used at all unless some new legislation in future requires the keeping for some special purpose of a new fund; trading, for each trading concern; trust, for all trust moneys; and reserve, for plant or general reserves. The reason for this provision is not only that it has been desired by local authorities, but also because we feel that the special functions should be kept separate from the ordinary activities of district councils. The committee considered that a single rate should be levied to cover all activities of the council under all Acts. That has been incorporated in the measure. It has been asked for by the local authorities repeatedly and, in the opinion of local government officers, has much to commend it.

Clauses have been included to show how the moneys of each fund may be applied.

Additional powers of application are to reserve funds, plant reserve, which is at present road board practice, war-time works or emergency works, and travelling expenses to conferences and meetings with compensation for loss of time. We propose to compensate council members who lose a portion of their income through being obliged to attend council meetings. Hitherto, the loss arising from attending council meetings during working hours fell upon the income-earner. Compensation for this actual loss is provided for in the measure. There is also provision for a mayoral or presidential allowance from the 3 per cent. account, not in addition to it, and we have provided that a council may spend up to 4 per cent. of its revenue for tourist propaganda.

Provision has been made that ward accounts shall not be kept, but power is given to record separately specific works for the particular benefit of a particular part of the area. The wards should be for the purpose of representation only. It is not desired that moneys raised, for instance in the Murchison ward, should be spent in the Murchison ward only.

Mr. Marshall: That is the practice of the city bodies all through.

THE MINISTER FOR LOCAL GOVERNMENT: The administration of the State is carried on for the benefit of the State as a whole and we consider that the administration of a district should be carried on similarly. Unless there is a community of interest throughout an area, the area cannot function in the best interests, and the provision made will tend to reduce the parochial attitude that has been adopted in many areas—an attitude of this sort that I am the member for East Ward and all I shall do shall be for East Ward and I have no interest outside of East Ward. This seems to be the attitude adopted in many areas and it is not conducive to the best results in local government.

Hon. A. R. G. Hawke: Is that attitude exhibited in practice?

THE MINISTER FOR LOCAL GOVERNMENT: In some areas I am convinced that it is, and it is only natural that this should be so when the opportunity is there.

Mr. Bovell: Local authorities seem to favour the ward practice.

THE MINISTER FOR LOCAL GOVERNMENT: Their secretaries do not. They have had a special conference on this subject and their attitude is quite the reverse. I am submitting to the hon. member and to all those others who are present my own views on the subject. They are not only my views, but also the views of a considerable number of other people, particularly of the committee to which I referred in the first place and which consisted—with the exception of Mr. White, of the Local Government Department, who was co-opted to advise, and the Town Planning Commissioner as convenor—of representatives nominated by the local government groups. They had no doubt whatever about this matter. They told me that the record indicated there was no difference of opinion between them.

I cannot see why it is necessary to administer a district in wards while there are on the local authority people who are quite prepared to do their duty by the whole of the board's area, according to its needs. Let us consider a substantial township in the middle of a road board area. Most of the money is raised in the township, but the people in the township use all the roads in the district in going about their business, while those people outside the township use the roads when going to the township to conduct their business. Why, therefore, should there be need to spend money in the east ward more than in the central ward? The money should be spent for the benefit of the whole district, not individual wards. Should special expenditure be required for a particular ward, provision is made for it.

Mr. Marshall: It is most extravagant and uneconomical to spend money on wards according to the collections from those wards.

THE MINISTER FOR LOCAL GOVERNMENT: But that has been the practice for many years.

Mr. Styants: Sparsely populated wards would have a bad time.

THE MINISTER FOR LOCAL GOVERNMENT: I would not say so if there were any public spirit in the organisation at all.

Mr. Styants: The system has operated in the case of a sparsely populated ward.

THE MINISTER FOR LOCAL GOVERNMENT: It has not operated everywhere by any means. I am pointing out what could happen and why there is no reason that

it should be allowed to happen, if we concede for the purpose of this case that almost every local authority is doing a reasonable job. Provision has been made that Government properties used as dwellings should be ratable, but I shall ask members to agree to some amendment of this clause for the purpose of clarifying the position. Provision has also been made that the existing systems of valuation in use shall, with certain minor exceptions, stand until the ratepayers have by a poll decided otherwise. That, of course, distinguishes between the unimproved capital value and the annual value. The position has been that road boards may rate on the unimproved capital value and, by permission, on the annual value; and municipal councils may rate on the annual value and, by permission, on the unimproved capital value. Consequently there has always been an alternative.

It is unfair to the ratepayers that the existing system in use in their area, or part of their area, should be changed without their consent, as they have agreed to the raising of loans on the understanding that they will bear the burden of these on a certain basis. I remember that one metropolitan local authority desired to change its system and a referendum was taken which the ratepayers defeated, as they desired to retain the system they already had. Provision has been made for vacant lots to be valued on an unimproved basis, notwithstanding the fact that the remainder of the area is on annual values. Provision has also been made for an annual valuation, but that the existing value may be used again. The formula for fixing the annual value has been simplified by fixing the annual value at two-thirds of the rental value, without deduction. Hitherto, it has not been quite clear how the annual value should be arrived at for rating purposes.

The existing Act provides, if I remember aright, that the rental value is taken and from it are deducted rates, maintenance, insurance, etc. It is contended that the value could be more easily arrived at and be much more certain by taking two-thirds of the rental value without deductions. As a matter of fact, the result is very much the same, I am informed, as I believe that most annual values made under the existing Act have resulted in about two-thirds of the rental value. Some may be a little higher, very few lower. A minimum of £10 has been

provided on either annual or unimproved values. Flats are to be valued at the full value of the sum of the values of all the flats. This will have, with some small exceptions, a very salutary effect on the amount of the revenue that will be derived by the local authorities and also on the rentals at which the premises are let, because these are not altogether fair, notwithstanding the operations of the rent restriction law.

Mr. Marshall: Do you not really think that the unimproved value is the more logical of the two systems?

The MINISTER FOR LOCAL GOVERNMENT: Yes.

Mr. Marshall: I do not think there should be any other.

The MINISTER FOR LOCAL GOVERNMENT: My personal opinion is rather in favour of the unimproved capital value; but my personal opinion at this moment does not count as much as it should, as the hon. member knows.

Mr. Styants: A certain sum of money must be raised. If it is not raised under the one system it will be raised under the other.

The MINISTER FOR LOCAL GOVERNMENT: That is so. Provision has been made for the appointment of qualified valuers, not members of the council and not the clerk. Provision has been made for taxation values to be used if desired. Provision has also been made that if a valuer-general is appointed, his values shall be used. Provision has also been made for a proper system of budgeting for revenue and expenditure; for a single rate to cover all activities; for power to differentiate for specific works or services for a particular area, with consent of ward representatives; and for rating limits as follows:—

Annual value, 7s. in the pound (10s. if water supply included);

Unimproved capital value, 2s. in the pound (3s. if water supply included);

the minimum amount payable being 10s. Differentiation in rates hitherto has been the prerogative of the Minister. Under the proposal in the Bill, it will be the prerogative of the members of the ward whose rates are to be raised. For instance, if the general rate over the area is 4d. and it is proposed to raise it to 5d. in one ward, the members of the ward will have to agree to the in-

crease. If they agree, then the differentiation is made. That is the intention of this measure, as I understand it. At the present time, I think the maximum rate struck by any local authority on annual value is approximately 4s. in the pound. The local authority will determine the question of what rate is to be struck; and to provide for a maximum higher than the existing figure would be a satisfactory way of handling the matter, but the discretion must be left to the local authority.

Provision has been made for all appeals to be either to a magistrate of a local court or to a special valuation court appointed for the area, or part of the area, or for several areas, by the Governor. The magistrate of a local court may for some time be perfectly satisfactory. There may, however, even in the near future, be areas where a special valuation board might have to be appointed. There may, in later years, quite definitely be considerable areas where that may be required as population grows. Provision is made for the owner to be liable for rates and distress for rates to be abolished; for the council to have power to collect the rents owing by tenants of a landowner who has failed to pay his rates; the granting of discount on rates has been deleted; and provision is made to prevent the transfer of land on which rates are owing. It is contended that the practice of allowing discount should continue. It is stated by certain people that it would be impossible to collect the rates as early, or reasonably as early, as they are now collected. Experience does not indicate that.

There are local authorities which allow no discount, and their rate collections are made in good time. The records of the local government office disclose that. So one has to consider the matter, as I see it, from the point of view of whom this benefits. It benefits those who are best able to pay. Therefore it seems to me that while these latter should by no means have their burden increased, there is no real reason why it should be diminished. So I submit to the House that as, on the evidence before me, it makes no difference in the collection of rates in the areas where no discount has been allowed—or little difference—and in view of the other aspect, the practice of allowing discount may, with safety, be discontinued. Moreover, there is this to be said for it: that it will provide to the local

authority the full value of its assessment, which should be its aim in preparing its Budget.

I said a moment ago that the owner is liable for rates and power is given to collect rents from his tenants if he defaults in making payment, in respect of the property let, of the rates due to the council; and it seems to me that the local authority is well protected in regard to its rates. Distress for rates is to be abolished. The court is the only place that would be able to order execution and sale of a property. I think the member for Murchison will remember that some years ago this Parliament abolished distress for rent in the ordinary way. Distress for rates has apparently continued to exist, if in name only—as I think it has not been operated by local authorities. However, it is proposed that it shall no longer have any existence at all.

The provision for the sale of land for rates has been adapted from the Road Districts Act but the period for which rates must be in arrear is reduced to three years. The provision for notice to be put on the land has been deleted and the number of newspaper advertisements of the sale reduced to one; while the application of the proceeds has been extended to cover other charges due to the council. It is well-known that local authorities—and I think with some justification—have complained that a very considerable expense is involved in trying to dispose of land for rates; so much so, that, in most cases, the costs involved, including substantial newspaper advertisements and other charges, are frequently greater than the purchase price of the few blocks to be disposed of. So they have asked that the advertisements be cut down and the matter generally simplified; and the proposals in the Bill are an attempt in that direction. It is admittedly a very difficult subject and one which requires careful consideration. Beyond the provisions in the Bill I certainly would not go; but I am prepared to assist them, as I believe there are many cases where they deserve it, so far as the Bill permits.

There was legislation passed a year or two ago under local authority Acts enabling local authorities to have vacant land in their districts re-vested in the Crown. That power has been incorporated in this Bill; but again the period for which rates were overdue has

been reduced to three years. Recent cases at the local government office which came under notice after this Bill was printed, notwithstanding the fact that Parliament accepted the principle, make it necessary to ask for this provision to be altered. It appears that applications are before the local government branch for the re-vesting of land in the Crown which is subject to a considerable mortgage. The position is now being examined by the Crown Law authorities.

Express power to borrow on overdraft for trading concerns has been incorporated, as well as authority for new councils to borrow. Hitherto there has been no provision for new councils, when created, to have any borrowing powers; because borrowing powers have been based on the previous year's revenue. But that has been corrected. Power to borrow has been extended to cover the wider activities of the councils and to cover plant, etc., needed under other Acts administered by the council. Debentures are to be on the periodical instalment of interest and capital basis in lieu of the sinking fund method. Power has been reserved to the Governor to limit the period of a loan for certain purposes, such as plant, etc. Provision is made for the plans of construction works to be approved by the Minister.

I propose to ask the House to limit these to substantial works and to restrict in another portion of the Bill the necessity for supplying plans and specifications, elevations and the like. I think on mature consideration of the difficulties of local authorities in Western Australia some modification of that proposal is necessary as I consider the committee was a little too elaborate in accepting for Western Australia the proposals of, I think, New South Wales—at any rate, of some other State.

In regard to exemptions from rating, strong pressure was brought to bear on the committee by various local authorities in whose districts there are large numbers of eleemosynary institutions. I could not bring myself to agree with the point of view that these institutions—and I include in that statement church premises and the like—should be made ratable. But the committee drafted a provision which finally proved to be unacceptable also. Unfortunately, part of that provision remained in the measure and I think it contains the words, "where

no fees are charged." It is proposed to ask the House to delete those words, which will virtually have the effect of restoring the position to what it was, as the other suggestions of the committee and of local authorities have not been acceptable. The position is very difficult. The Geraldton Council, I think—at any rate, one municipal council—has very large areas in its district given over to these institutions, from which no revenue is derived. Where they are bona fide used for the purpose of education or for church purposes, as the case may be, the council has not the slightest objection. But they represent to the department that some of those areas are merely vacant land, and they do not think that they ought to be exempt from rating, as apparently they are.

Mr. Bovell: There are schools, and the like.

The MINISTER FOR LOCAL GOVERNMENT: If the land is used for those purposes it will be exempted still.

Mr. Boyell: The clause there is a bit ambiguous to my way of thinking, because fees are charged.

The MINISTER FOR LOCAL GOVERNMENT: I propose to ask the House to agree to an amendment to delete those words. That, I think, will clear up the position. The words were left in as the remnant of another proposition altogether. In a big measure of this nature it is quite easy to make a mistake of that character I find, much to my regret. As I can think of no other sensible course which will mean justice to the institutions concerned and will at the same time satisfy the local authorities, I submit this for the consideration of the House. It is practically an insoluble problem as far as I am concerned. If any member can produce a solution to both these things I will be prepared to listen to him, anyway.

Mr. Marshall: That is all you will do—just listen!

The MINISTER FOR LOCAL GOVERNMENT: How does the hon. member know? I now turn to the last item that I consider of importance on this subject, and it is that which deals with the audit provisions of the measure. As you are aware, Mr. Speaker, for many years past the local authorities, known as road boards, have had their books and to some extent their activities examined by Government officials known as

audit inspectors. At the time when that proposition was first mooted by the Government of the day there was considerable opposition from the road boards concerned. They just did not want it, and so much so that I think it is on record that they made many protests on the subject, but the Government of the day insisted that the enactment should go forward, and these audit inspectors were appointed and paid for, half by the Government in that case and half by the local authorities.

As the years went by the position arose that the local authorities found them to be guides, counsellors and friends, as well as auditors. Today I do not think we could find a single road board, or local authority, which offers any objection whatever—in fact, rather to the contrary—to the services of these gentlemen. Under the Municipal Corporations Act there is no such provision, but there is provision for the election of auditors by the ratepayers. I do not think that system has given very great satisfaction. It seems to me, therefore, that without asking the local authority now known as a municipality to accept the same system as the local authority known as a road board, namely, the appointment of an audit inspector, willy-nilly, we should ask it to accept an auditor appointed by the Governor, so that there will be no doubt that he will have not only knowledge of keeping books, but also—and in my opinion this is far more important—a substantial knowledge of local authority and local government procedure. That will mean that the job may be properly done, as it has been done in regard to the road boards.

The intention here of the original Municipal Corporations Act has been almost entirely lost. That was, as I understand it, that there should be competition for the position of auditor. The idea was that there should be competition between one auditor and another for a post which was available to them in the interests of the ratepayers, at the remuneration which was due. So, as the councillors would oppose one another for a seat on the council, the auditors would do likewise. But now, once a public accountant becomes the auditor of a municipality, unless he annoys very considerably the members of the local authority, or some of them, so that opposition is stirred up against him, it is more likely that the ethics of the accountancy profession will apply.

Mr. H. R. Irving, Vice President of the Federal Institute of Accountants of Australia, said this in January, 1949—

The institute has enunciated some guiding principles for regulating and maintaining ethical standards, and these are set out in the institute's articles and bylaws which should be carefully studied by all members. No member is permitted to allow any person who is not a member of the institute, or of an institute, society or corporation of accountants recognised by this institute, to practise in partnership with him.

That is quite clear. The real point that I wish to make is this:

In regard to appointments, no member is permitted to offer himself for election as auditor of a company, road board, municipality, shire council or any other body of a like nature, in opposition to a member of a recognised institute of accountants at the time holding the position, and, who, being eligible, is offering himself for re-election.

Mr. Marshall: There is a little combination there.

Hon. J. T. Tonkin: Just the same as the B.M.A.

The MINISTER FOR LOCAL GOVERNMENT: Exactly. I can appreciate perfectly well the point of view of the accountants. I can appreciate the ethics they refer to and, in fact, I could agree with them did I belong to that honourable body. But the House has to consider this: Is that the way to audit local government affairs? I do not think it is. So I ask the House to consider the matter and to decide whether the existing system shall prevail, whether the system I suggest shall be substituted for it—which I believe is quite desirable—or whether we shall have some other method which can be propounded in this Chamber. I think I have covered all the major points I intended to cover.

Mr. Marshall: With one exception.

The MINISTER FOR LOCAL GOVERNMENT: What is that?

Mr. Marshall: Will you kindly justify giving a resident owner's wife a vote?

The MINISTER FOR LOCAL GOVERNMENT: I see what the hon. member is driving at. I will deal with that question in Committee, because I am very doubtful whether he is right.

Mr. Marshall: I doubt whether you have given it consideration.

The MINISTER FOR LOCAL GOVERNMENT: I have not broken that promise yet to the hon. member. I do not think it applies to the spouse of a resident owner so that the spouse would be in a position to vote on the loan polls. The hon. member can get his interpretation of it; I will give mine. This is essentially a measure that can be dealt with in Committee because that is where the framework will be available for amendment. I ask members, if they are going to move amendments, to place them on the notice paper as early as possible because I would like to give them proper consideration and I may, perhaps, suggest alterations which may be helpful. I move—

That the Bill be now read a second time.

On motion by Hon. A. R. G. Hawke, debate adjourned.

ADJOURNMENT—SPECIAL.

THE PREMIER (Hon. D. R. McLarty—Murray-Wellington): I move—

That the House at its rising adjourn till 4.30 p.m. on Thursday, the 16th June.

Question put and passed.

House adjourned at 5.49 p.m.

Legislative Council.

Thursday, 16th June, 1949.

CONTENTS.

	Page.
Assent to Bills	25
Questions by Members, as to conformity with Standing Orders	25
Questions: Agricultural colleges, as to standard of education	25
Motor vehicles, as to American imports and distribution	26
Education, as to midday meal for metropolitan children	26
Railways, as to employees' homes, Salmon Gums	26
Sewerage, as to interest rate on deferred payments	26
Mining, as to assistance to prospectors	27
Bills: Charitable Collections Act Amendment, 2r.	27
Marketing of Barley Act Amendment (Continuance), 2r.	28
Marketing of Potatoes Act Amendment, 2r.	28
Plant Diseases Act Amendment (No. 2), 2r.	29
Adjournment, special	30

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

ASSENT TO BILLS.

Message from the Governor received and read, notifying assent to the following Bills:—

- 1, Land Tax.
- 2, City of Perth Electricity and Gas Purchase.
- 3, Marketing of Apples and Pears.
- 4, Matrimonial Causes and Personal Status Code.

QUESTIONS BY MEMBERS.

As to Conformity with Standing Orders.

The PRESIDENT: Before calling on members to ask the questions standing in their names on the notice paper, I would call attention to Standing Order No. 88, which reads as follows—

In putting any such question, no argument or opinion shall be offered, nor inference nor imputation made, nor any facts stated, except so far as may be necessary to explain such question, and the President may direct the Clerk to alter any question so as to conform with this Order.

I have directed the Clerk to delete from Question No. 5 the words "ceases to be a modern Shylock."

QUESTIONS.

AGRICULTURAL COLLEGES.

As to Standard of Education.

Hon. A. L. LOTON asked the Honorary Minister for Agriculture:

(1) Has the Government set up a committee to make recommendations with a view to bringing about a more beneficial standard of education at the various agricultural colleges?

(2) If such a committee has been set up, who are the members of the committee?

(3) Will the report and recommendations be tabled at the completion of the inquiry?

The HONORARY MINISTER FOR AGRICULTURE replied:

(1) Yes.

(2) Professor E. J. Underwood, Chairman; Professor R. G. Camcron; Mr. M. McK. Clark; Mr. W. Southern; Mr. Edmondson; Mr. Worner; Mr. Wilson; Mr. Russell; Mr. W. Nunn, Secretary.