Legislative Assembly,

Tuesday, 20th November, 1928.

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

ELECTION RETURN—MT. LEONORA.

The SPEAKER announced the return to a writ issued for the election of a member for Mt. Leonora, showing that Mr. Ernest Cowan had been duly elected.

SWEARING-IN OF MEMBERS.

Mr. E. Cowan (Leonora) and Mr. V. Doney (Williams-Narrogin) took and subscribed the oath and signed the roll.

ASSENT TO BILLS.

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

1. Pearling Act Amendment.
2. Dried Fruits Act Amendment.
3. Navigation Act Amendment.
4. Fertilisers.

QUESTION—AGRICULTURAL BANK, FORFEITED HOLDINGS.

Mr. A. WANSBROUGH asked the Minister for Lands: 1, How many holdings under mortgage to the Agricultural Bank were forfeited during the past 10 years? 2, How many of them are awaiting reselection? 3, How many have been reselected by Agricultural Bank officials, their wives or families?

The MINISTER FOR AGRICULTURE (for the Minister for Lands) replied: 1, 3,640. 2, 530. 3, 9.

LAND AGENTS BILL SELECT COMMITTEE.

Extension of Time.

On motion by Mr. North, the time for bringing up the report of the select committee was extended for one week.

TOWN PLANNING AND DEVELOPMENT BILL SELECT COMMITTEE.

Report presented.

Mr. Clydesdale brought up the report of the select committee appointed to inquire into the Bill.

Report received and read.

Ordered: That the report and evidence be printed; that the Bill be re-printed as amended by the select committee, and re-committed to the Committee of the whole House.

BILL—QUARRY RAILWAY EXTENSION.

Read a third time and transmitted to the Council.

BILL—BUNBURY ELECTRIC LIGHTING ACT AMENDMENT.

Returned from the Council without amendment.

BILL—ROAD CLOSURE (QUEEN STREET.)

Received from the Council and, on motion by Mr. Sleeman, read a first time.

BILL—FEEDING STUFFS.

Council's Amendments.

Schedule of three amendments made by the Council now considered.

In Committee.

Mr. Lutey in the Chair; the Minister for Agriculture in charge of the Bill.

No. 1—Clause 4, Subclause (1). Insert at the end of the proviso the words, "but no such regulation shall have effect until it is laid before both Houses of Parliament."

The MINISTER FOR AGRICULTURE: I move—

That the amendment be agreed to.

A regulation under the Bill would have the effect of amending the Second Schedule. It is only right, therefore, that the amendment should be agreed to.

Hon. Sir James Mitchell: If you do not want power to make regulations, strike it out of the Bill.

The MINISTER FOR AGRICULTURE: Seeing that the schedule is contained in the Bill, a regulation should not come into force prior to being laid before Parliament. Such a regulation is quite different from the ordinary regulation.

Hon. Sir JAMES MITCHELL: I am surprised that the Minister accepts this amendment so readily. It is ridiculous to grant power to make regulations which cannot take effect until Parliament approves of them. If that is good in connection with regulations under the Bill, it should be good in connection with all regulations. Apparently another place has discovered a way of holding up regulations. The proper way to amend an Act is to submit a Bill to Parliament. Regulations have the force of law as soon as gazetted, and can only be disallowed by Parliament. The amendment seems to me utterly absurd. We are drifting into very loose methods of legislation. I hope the amendment will not be agreed to.

Hon. G. TAYLOR: A regulation, unless objected to by either House, has the force of law. Our business is to put into the Bill what we desire should be law. The amendment is too absurd for words. If Parliament had to decide something after the regulation had been laid on the Table, I could understand the amendment.

The MINISTER FOR AGRICULTURE: As I have said, a regulation under the Bill is entirely different from the ordinary regulation. It is for the purpose of prescribing a standard as set out in the Second Schedule. The setting up of a standard is a highly technical matter. Previously it was done by the Agricultural Department, and that was not considered satisfactory. In order that there should be no doubt, the schedule is placed in the Bill. The standard inserted there is not likely to be the last word. The Bill gives power to amend a schedule by regulation, but such amendment is not to take effect until both Houses have had the opportunity of objecting.

Hon. Sir James Mitchell: In that case there is no necessity for a regulation.

The MINISTER FOR AGRICULTURE: But for that power, it would be necessary to bring down a Bill in order to amend the schedule.

Hon. Sir James Mitchell: This is a nice way to make laws.

The MINISTER FOR AGRICULTURE: Personally I see no objection to the amendment.

Hon. Sir JAMES MITCHELL: I do not think the Minister sees the point. In the case of an amending Bill, the Minister must state reasons; he cannot even read his explanation. In the present case he will, without even a word, submit a regulation, or rather a regulation without the force of law, and thereby amend the schedule. He will be able to amend an Act of Parliament by laying a paper on the Table of the House, without a word of explanation. The public would not know what was being done, since approval would be given by silence. One advantage of discussion here is that the public know what we are doing. The Minister has really confessed that he does not need regulations at all in order to amend the schedule, but that he can amend it by bringing down a Bill. I do not suppose we shall ever hear of this measure again, but there is grave danger in allowing the establishment of such a precedent.

The Minister for Agriculture: The principle here is entirely different.

Hon. Sir JAMES MITCHELL: Nothing of the kind. The Minister may find that in future Bills the power to make regulations will be subject to a similar restriction. The Minister suggests that no harm will be done in this instance, but harm may be done if the precedent is followed on a future occasion.

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

Ayes	21
Noes	19
Majority for ..	2

Ayes.	
Mr. Cheeson	Mr. McCallum
Mr. Clydesdale	Mr. Millington
Mr. Collier	Mr. Munsie
Mr. Corboy	Mr. Panton
Mr. Cowan	Mr. Rowe
Mr. Cunningham	Mr. Steeman
Miss Holman	Mr. A. Wansbrough
Mr. Kenneally	Mr. Willcock
Mr. Kennedy	Mr. Withers
Mr. Lamond	Mr. Wilson
Mr. Marshall	(*Teller.*)

Noes	
Mr. Barnard	Mr. Richardson
Mr. Brown	Mr. Sampson
Mr. Doney	Mr. J. M. Smith
Mr. Ferguson	Mr. Stubbs
Mr. George	Mr. Taylor
Mr. Griffiths	Mr. Teesdale
Mr. Latham	Mr. Thomson
Mr. Lindsay	Mr. C. P. Wansbrough
Mr. Mann	Mr. North
Sir James Mitchell	(*Teller.*)

Pair.	
Aye.	No.
Mr. Coverley	Mr. Angelo

Question thus passed; the Council's amendment agreed to.

No. 2. Clause 5, Subclause (6).—Insert after the word "Agriculture" in line twenty-nine the words "on payment of a prescribed fee."

The MINISTER FOR AGRICULTURE: The effect of the amendment will be that the name under which any food for stock, together with particulars and percentages, is to be sold, may be registered by the seller at the Department of Agriculture "on payment of a prescribed fee." There would be a fee in any event, but I have no objection to the amendment. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 3. Second Schedule.—In line one of the standard for pollard, strike out the words "consist of the products," and insert "be a by-product."

The MINISTER FOR AGRICULTURE: The Council's amendment amounts to an alteration in verbiage. The clause refers to pollard as the product of milled wheat, whereas it really is a by-product of milled wheat, and therefore the Council's definition is the more accurate. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

Resolutions reported, the report adopted, and a message accordingly returned to the Legislative Council.

BILL—RAILWAYS DISCONTINUANCE.

Council's Message.

Message from the Council notifying that it insisted upon its amendments made to the Bill, now considered.

In Committee.

Mr. Lutey in the Chair; the Minister for Railways in charge of the Bill.

The MINISTER FOR RAILWAYS: When the amendments made by the Council were first considered by members of this Committee, I intimated that the Government were not prepared to accept them. We were supported in that attitude by the Committee. The Council's proposals represent an entirely unfair proposition, particularly with regard to the White Hope railway. The object of the Bill was to enable the capital involved in the two lines to be wiped off the railway capital account. With regard to the White Hope line, the Railway Department has received no return whatever, and I think the line should have been built from the Mines Development Vote, because the line was necessary from that standpoint.

Mr. Thomson: How much is involved?

The MINISTER FOR RAILWAYS: About £18,000. There is no reason why the Railway Department should continue to pay 5 per cent. on that amount for all time, merely because it was decided to take over the line in order to give the White Hope mining district a chance. Had the line been a profitable one, there might have been some reason for the attitude of the Council. There might then have been some justification for asking the Railway Department to continue to pay interest on the capital involved. It was merely because the firewood company intended to pull up the line that the Government took over the railway, so as to give the people of the district an opportunity to prove the value of the White Hope mine. Unfortunately, mining in that district did not prove successful, and the necessity for the line does not exist to-day. That was not the fault of the Railway Depart-

ment, and therefore there is no reason why the department should be forced to continue paying interest on the capital outlay. There may be some reason for asking the department to continue to shoulder the responsibility regarding the Kanowna line, seeing that it has been down for 30 years, during which it helped to build up the railway system as a whole and created business out of which the railways made a profit. In addition to adopting the attitude I have indicated, the Council also seek to provide that the material shall be used in the construction of any other authorised railway. I have already pointed out that the material will be of no use in the construction of another railway, because a firewood line is not usually a first-class railway.

Mr. Thomson: What is the weight of the rails?

The MINISTER FOR RAILWAYS: The weights vary.

Hon. G. Taylor: The rails were a job lot.

The MINISTER FOR RAILWAYS: Yes, they were picked up all over the place and put into the line. Some are 25lb. rails, while others weigh up to 45 lbs. The material would be of absolutely no use for the construction of any line that would be authorised in the ordinary way by this House. Some of the rails might be used as telegraph posts. It might be payable to sell some as scrap steel. On the other hand, the Council insist that the material shall be used in the construction of other authorised railways!

Hon. G. Taylor: That would be almost impossible.

The MINISTER FOR RAILWAYS: It would be actually impossible. If the amendment be construed literally, it means that the Government will be limited in the use of the material to the construction of railways, and it will be impossible to do that.

Hon. W. J. George: Were they not 45lb. rails on the Kanowna line?

The MINISTER FOR RAILWAYS: I had in mind the White Hope line, about which I was speaking more particularly.

Hon. W. J. George: Some of the rails might be useful in a siding.

The MINISTER FOR RAILWAYS: Probably they will be used for that purpose. We do not want to scrap material that is of any use.

Mr. Thomson: But the Government require to be able to use commonsense in the matter.

The MINISTER FOR RAILWAYS: That is so. In the circumstances, I do not think the Committee will agree to the amendment. If we had a conference with another place, we might suggest an amendment that would be acceptable and at the same time give us authority to do what we desire with the material. But I do not want the Railway Department to be debited forever with a capital expenditure of £20,000 when there is no corresponding asset. I move—

That the Council's amendment be further disagreed to.

Question put and passed; the Council's amendment further disagreed to.

No. 2, Title—Insert the words "the operation of" before the word "certain," and at the end insert the words "and for other purposes."

The MINISTER FOR RAILWAYS: In discussing the one amendment I have discussed both. There is no need for me to say anything further. I move—

That the Council's amendment be further disagreed to.

Question put and passed; the Council's amendment further disagreed to.

Resolutions reported, and the report adopted.

Request for Conference.

The MINISTER FOR RAILWAYS: I move—

That a conference with the Legislative Council be requested and that at such conference the managers to represent the Assembly be Mr. Thomson, Mr. Panton and the mover.

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

BILL—EDUCATION.

Recommittal.

On motion by the Minister for Agriculture, Bill recommitted for the purpose of further considering Clauses 7, 13, 16, 20, 34, and the Third and Fourth Schedules.

In Committee.

Mr. Panton in the Chair: the Minister for Agriculture in charge of the Bill.

Clause 7—Appointment of officers:

The MINISTER FOR AGRICULTURE: When in Committee, Subclause 2 was amended by the insertion after the words "The Minister may" of the words "on the recommendation of the Director of Education." It is now found that that conflicts with the power of the board of classifiers. If promotions are to be made, they must be made in conformity with the regulations under the Act. Regulation 29, dealing with the board of classifiers, provides that the board shall meet from time to time to consider matters affecting the promotion and classification of teachers and to consider any appeals from teachers against their classification or positions on the promotion list. So it will be seen that if this amendment is to be allowed to stand, we shall have to reconstruct the whole scheme. The board of classifiers will have to be wiped out, and the Director of Education will take their place. To put the matter in order, I am going to move that the words "on the recommendation of the Director of Education" inserted by the Committee be struck out. Complementary to that, I will move that there be added to the clause the words "subject to the regulation relating to the board of classifiers." The clause will then read that the Minister may transfer, etc., subject to the regulation relating to the board of classifiers. In other words, the clause will be as originally drafted, with that proposed addendum. Then instead of the Director of Education being responsible for the making of recommendations to the Minister, the board of classifiers will make recommendations, as at present. That board meets with the approval both of the department and of the teachers. The amendment seemingly was copied from the South Australian Act, and the South Australian system is different from ours in that it has no such board of classifiers as we have. That board is working very well in this State and attends to all such matters.

Hon. Sir James Mitchell: Who are the members of the board?

The MINISTER FOR AGRICULTURE: The board is constituted in this way: one member is a representative of the administrative staff, a second is a representative of the teachers, and the third is a nominee of the Minister, from outside the service. Mr Davy is the Minister's nominee. That is how the present board is constituted and as I say, it has the approval, not only of the department, but of the teaching staff. I move an amendment—

That in Subclause 2 the words "on the recommendation of the Director of Education" be struck out.

Hon. Sir JAMES MITCHELL: Having heard the explanation of the Minister, I suppose we cannot very well insist upon those words remaining in the clause. But there should be some consistency. Having accepted the amendment—a very unusual thing for a Minister——

The Minister for Agriculture: But I was misled by the original draft of the Bill.

Hon. Sir JAMES MITCHELL: I am glad it was not my fault that the Minister was misled. Apparently if we retain those words we shall have to abolish the classification board.

The Minister for Agriculture: That is so.

Amendment put and passed.

The MINISTER FOR AGRICULTURE: I move an amendment—

That there be added at the end of the subclause the words "subject to the regulation relating to the board of classifiers."

Hon. Sir James Mitchell: Will this make them a statutory board?

The MINISTER FOR AGRICULTURE: This is an existing board, and these powers are contained in the regulations. I have not had time to go through the Bill to check all this.

Hon. Sir JAMES MITCHELL: Apparently we are setting up a statutory board of classifiers. The Minister says he thinks the board has really been appointed by regulation. Instead of the Director recommending transfers, the board will recommend to the Minister before a transfer can be effected. It is an extraordinary way of controlling the department. I do not know whether the board will give preference to unionists.

The CHAIRMAN: The clause does not deal with that question.

Hon. Sir JAMES MITCHELL: Can the board recommend the transfer of an

teacher without restriction of any kind? Where does the Minister get his power to make regulations for the appointment of the board?

The Minister for Agriculture: The power is contained in Clause 28.

Hon. Sir JAMES MITCHELL: That has no bearing on the question. A casual reference to the board in the Bill will not give it very much power.

Hon. G. TAYLOR: The board of classifiers is provided for in Clause 28, which deals with a variety of subjects and seems to give the board very wide scope. The Minister should not ask the Committee to accept anything as far-reaching as that. The powers given to the board are enormous.

Mr. THOMSON: I oppose the amendment. If it is necessary by statute to confer certain powers upon the appeal board, the same principle should be followed in the appointment of a board of classifiers, if such a board is necessary. Apparently a teacher is able to appeal to the appeal board against his transfer. That being so, of what use is a board of classifiers? We are paying a large salary to the Director, and we should hesitate before we do anything to interfere with his administration. The clause should be left as it stands.

The MINISTER FOR AGRICULTURE: The regulations form a most important part of the administration of the department. All are necessary, and cover about 42 pages of closely written matter.

Hon. Sir James Mitchell: Two pages would give you all you want.

The MINISTER FOR AGRICULTURE: The regulations are considered by the Director to be necessary.

Hon. Sir James Mitchell: Does anyone read them?

The MINISTER FOR AGRICULTURE: Officers of the department and the teachers know them from end to end. The points raised by the member for Katanning are all dealt with in the regulations. The work of classification is done by the board of classifiers, and appeals are heard by the appeal board in the event of dissatisfaction being expressed by any teacher. The board of classifiers has given satisfaction to all concerned. It is no new thing. The existing practice is working well.

Amendment put and passed.

The MINISTER FOR AGRICULTURE: I move an amendment—

That in Subclause 3 "shall not be" be struck out and "are not" inserted in lieu.

The subclause will then read "Teachers are not subject to the Public Service Act." Later I shall move to add the words "except as therein provided." This refers to the Public Service Act. Exception was taken to the words I proposed to delete both by the department and the teachers. At present teachers are not subject to the Public Service Act, and they are anxious that they shall not be. They contend also that if the words proposed to be added are added, it will mean that by an amendment of the Public Service Act they can automatically be brought under its provisions.

Hon. Sir James Mitchell: They could in any case.

The MINISTER FOR AGRICULTURE: But they are anxious that they should not be brought under the Public Service Act. They were specifically excluded from the 1904 Act and only the Director and the higher officials are subject to the provisions of that Act. They want the position made clear and distinct.

Hon. G. Taylor: Why did you not let the teachers draft the Bill? Apparently they drafted the amendment for you.

The MINISTER FOR AGRICULTURE: They did not.

Hon. W. J. George: Are the teachers under any authority at all?

The MINISTER FOR AGRICULTURE: Yes, they come under the Education Act and are subject to proper control.

Hon. Sir JAMES MITCHELL: All who are employed by the Government would be better off were they under the provisions of the Public Service Act. If the staff up here were under the Public Service Act, they could be absorbed into the service with advantage to themselves. I think the Parliamentary staff should come under the Public Service Act, as all staffs should do. But they say, "No, keep us away from the Public Service Commissioner." There are advantages under the Public Service Act that ought to be available to everybody associated with the Government service. If the Minister wishes to strike out the words suggested by him, I shall not object. At the same time, I think the teachers are losing by the proposal. There is always the

crazy idea that men should keep apart from the Public Service Act.

The Premier: I think there are too many there already; once they get there you can not do anything with them; you cannot get rid of them.

Hon. Sir JAMES MITCHELL: And if they are not under the Public Service Act we cannot get at them.

The Premier: Yes, we can.

The Minister for Agriculture: I assure the hon. member that all the officers of the Education Department wish to remain under the Education Act.

Hon. Sir JAMES MITCHELL: The one idea of the Minister seems to be to oblige the teachers. I do not care a jot what the Minister does in the matter.

Hon. W. J. GEORGE: I cannot imagine having a body of public servants like the teachers on a sort of go-as-you-please as far as they are concerned, and a go-as-you-please as far as the Government are concerned.

The Premier: They have been outside the Public Service Act for 24 years. Have you only just discovered it?

Hon. G. Taylor: They were never under it.

Hon. W. J. GEORGE: It is a pity they have not been under it. I think we should have a special committee to inquire into all the circumstances so that we might know where we are and determine definitely what is right and what is wrong.

Hon. G. TAYLOR: We know that the Education Department is controlled largely by the Director of Education with the assistance of a board of classifiers.

Hon. W. J. George: You make him an autocrat.

The Premier: There is no greater autocrat than the Public Service Commissioner.

Hon. G. TAYLOR: The teachers have no desire to come under the Public Service Act, and I think they are wise. The Education Act is the Act under which they should be controlled.

Amendment put and passed.

The MINISTER FOR AGRICULTURE: I move an amendment—

That the words "except as therein provided" be added to the subclause.

Mr. THOMSON: What prompted the Minister to ask the Committee to insert these words? Will the inclusion of these words in any way affect the rights and privileges of the teachers, who, prior to 1904, came under the Public Service Act? We should be sure on that point. We have no desire to do an injustice to any public servant who has given many years of service to the State.

The MINISTER FOR AGRICULTURE: The words were inserted on the suggestion of the Solicitor General as consequential. Now we find they are not consequential and might have a serious effect. Both the department and the teachers have a decided objection to the inclusion of the words.

Hon. G. Taylor: Is the Director of Education in accord with your desire?

The MINISTER FOR AGRICULTURE: Yes; he takes the strongest exception to the inclusion of the words.

Mr. THOMSON: It would be interesting to hear the views of the Solicitor General. If he deemed the words desirable and the Minister accepted his opinion, the position that has arisen is amazing. Some of the older teachers have pension rights and I do not want this measure to interfere with their rights.

The MINISTER FOR AGRICULTURE: Whatever rights such teachers may have are otherwise provided for and nothing in this measure could affect those rights. The teachers are satisfied with the amendment I have proposed. I moved the insertion of the additional words because I thought the Solicitor General had consulted the department.

Hon. Sir JAMES MITCHELL: This is the Bill of the Minister for Education, not the Minister for Agriculture. I think it would be an advantage to the service if the amendment were retained. Still, if the teachers do not wish it, I do not think we should force it on them. It is a pity that Bills are not more carefully drafted.

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

Clause 13—Compulsory attendance:

The MINISTER FOR AGRICULTURE: I promised to recommit this clause to permit consideration of the compulsory age. The department take the view that it would be disastrous to raise the age. Perhaps I had better read a memorandum supplied by the Acting Director, Mr. Wallace Clubb, and also the views of the Minister for Education.

Hon. Sir James Mitchell: The Bill indicates the views of the Minister for Education.

The MINISTER FOR AGRICULTURE: Of course. The Acting Director of Education states—

The proposal to raise the age of admission to seven is against the practice in Great Britain and in all the other States of Australia. I append a comment from the "Journal of Education" (England) of March, 1926, showing that an attempt to raise the age of admission in England was defeated. The Teachers' Union in this State is also against the raising of the age of admission. In New South Wales children may be admitted at five years of age, though the compulsory clauses do not operate until the age of seven. The last annual report from New South Wales shows that there are 16,000 children under the age of six being educated in that State. In Victoria 14,671 children under six years are being educated. I have not the latest report from Queensland, but the regulations we have show that five years is the age for admission in that State. The latest return from South Australia shows that 2,181 children of five years and under are being educated and 7,600 at the age of six. In Tasmania children are admitted at the age of four if there is a separate room for the accommodation of infants available. Five, however, is the ordinary age for admission. In 1926 there were 1,236 children of five years and under and 2,300 of six years of age being educated in that State. In this State the regulations provide that children shall be admitted in the half year in which their sixth birthday falls, but in order to keep country schools open children may be admitted considerably sooner. In schools with an enrolment of less than 15, children over four may be admitted, and in schools where the enrolment is between 15 and 20, children over five may be admitted. Without this proviso a large number of small country schools would have to close, with the result that educational facilities would be taken away from children between six and 14 years of age. The department used to admit children at four and five years of age, but some years ago the present regulation admitting children (except in country schools) in the half year in which their sixth year falls was substituted. I think the opinion of all the inspectors and of nearly all the teachers would be that the present age of admission should be retained. It may fairly be argued that children who live in homes where the parents are able to provide a stimulating and educative environment would not suffer greatly, but in the vast majority of homes this condition does not obtain. The children would have one year more in many cases to learn bad habits and to play about more or less purposelessly, often in the streets. I personally do not favour the raising of the age of admission for that reason. Another point to be considered is that in all important parts of the British Empire efforts are being made to secure as much post-primary education for the children as is possible. At the present time our children enter for their secondary education in high schools or central schools at or about their thirteenth year. The curriculum in force to give the necessary preparation for a secondary education is a seven-year one. To cut it down to six years by raising the age of admission to seven would make necessary a considerable number of readjustments, the wisdom of which is doubtful. I think the proposal that this State should be the only one of the Australian States to refuse admission at the age of six, especially in view of the fact that other States admit still earlier, is a somewhat hazardous one, and I am inclined to think it would be very unpopular with most of the people.

The Acting Director attached extracts from the "Journal of Education" and other similar publications. The Minister of Education appends a note that the raising of the school age would have the effect of closing scores of schools in country districts. Consequently we have to be very careful when considering such a proposal. We know the difficulty experienced by a country district to qualify for a school, and an alteration might necessitate lowering the number of children in attendance to entitle a district to a school. The Minister for Education is greatly perturbed over the suggestion to raise the compulsory age.

Hon. Sir James Mitchell: Surely the Minister is submitting his proposal in the Bill!

The MINISTER FOR AGRICULTURE: Yes, his proposal is that the present compulsory age of six should be retained.

Sitting suspended from 6.15 to 7.30 p.m.

The MINISTER FOR AGRICULTURE: I am assured by the Minister for Education that the raising of the age to seven years will mean the closing down of scores of country schools. From the departmental point of view I stand to the present age of six years.

Mr. STUBBS: Metropolitan conditions in the matter of schools do not apply to country districts. I agree that boys and girls up to the age of seven should get as much rest and as much play as possible. Indeed, I would not object to a clause raising the age to seven years for the metropolitan area. In my own electorate, however, such an alteration would close five schools immediately. Every officer of the Education Department is desirous of keeping open as many schools as possible, but there is a limit to the amount of money that the Treasurer can find for education;

and therefore regulations are needed to enable the Minister for Education to keep within his vote. Like other members, I have on numerous occasions approached the department with a request that a school should be kept open although the attendance has fallen below the average of ten scholars between six and 14 years of age. Often it is difficult to get an average attendance of ten in country districts, and the raising of the age to seven years would close many schools outback.

The CHAIRMAN: An amendment has not yet been moved.

Hon. G. TAYLOR: I move an amendment—

That in line 1 of paragraph (a) "six" be struck out and "eight" inserted in lieu.

I have no desire to close any school in Western Australia.

Mr. Thomson: But that will be the effect of your amendment.

Hon. G. TAYLOR: I have a desire to protect children of tender years. No child under seven years, or better still eight years, should be compelled to attend school; and it should not be made an offence for parents to refrain from sending such a child to school. As regards the average attendance of ten, if the amendment is carried it would be a matter for the department to accept or refuse children six years of age, but it would not be compulsory to send children of that age to school. I strongly object to the penal provision regarding children six years of age. Some persons want children sent to school at the age of four, but an establishment attended by such children would be a kindergarten, and not a school. I have as much consideration for a child of tender years in the metropolitan area as for such a child in the country districts, and we cannot make one law for one place and another law for another place in this respect. Hon. members who argue that the carrying of the amendment will mean the closing of country schools are evidently convinced that parents will not send children six years of age to make up the average attendance. I am not at all concerned about the statement of the Acting Director of Education, who naturally desires to have as many schools open as possible and a high standard of education to be attained. I do not wish infants either in the country or in the metropolitan area to be sacrificed merely in order to keep schools open. Let there be no compulsion in the matter.

Mr. DAVY: I was astonished at the argument used against the amendment when it was foreshadowed. We should be concerned only whether it is proper to compel a child of six to go to school every day, because that is the meaning of the paragraph as it stands. I am the proud father of a child not much more than six years old who has been going to school now for two years, but has never been compelled to go to school. When he announced his intention of not going, he was not made to go. Should the Education Department choose to prosecute me for not sending him to school, I would pay the fine, but with a scream of protest. Under the clause, six years is not the minimum age at which a child may go to school, but the minimum age at which the child must go to school. We are told the amendment means the closing of numerous country schools.

Mr. Stubbs: Quite true.

Mr. DAVY: No.

Mr. Brown: Absolutely true!

Mr. DAVY: It is not! It could be true only so far as the Government, according to their policy, chose to close schools, the attendance at which had fallen below a certain number, owing to the fact that parents had not insisted upon their babies going to school. Surely the Committee should consider the question from the standpoint of the child only. If it is wrong to compel a child of six to go to school every day, then we have every right to say to the Government that where the attendance at a country school falls below the minimum, owing to the minimum age having been raised to eight, then the minimum attendance number should be reduced to meet the altered circumstances.

Mr. Thomson: The minimum attendance is down to eight to-day.

Mr. DAVY: Perhaps it is, but of what conceivable advantage to the State is it that the attendance at schools shall be kept up by compelling children to go to school at an age when they should not be forced to do so? The suggestion of the member for Katanning is that we must keep up the attendances at schools by compelling children of a tender age to go to school every day. The member for Katanning suggests the Government would be so unreasonable as

to close up schools should we decide to alter the minimum age.

Mr. LATHAM: I am afraid some members do not quite understand the position There are many schools throughout the country at which children of 14 years of age are in attendance, but whose education has been sadly neglected. If we alter the law as suggested, there will be many country schools closed.

Mr. Davy: Not necessarily so.

Mr. LATHAM: I say they will be closed. If the hon. member were more acquainted with the agricultural areas, he would know that in many districts, difficulty is experienced in maintaining the existing minimum attendance necessary. Many farmers find it essential to get their children to assist them in their work, and freqnently children of ages ranging from 10 to 12 years have to be kept away from school.

Hon. G. Taylor: But not children six years of age!

Mr. LATHAM: Of course not! Under the regulations, attendance is compulsory on a certain number of days per quarter only.

Mr. Davy: This Bill does not say that. What we are asked to pass is that children six years of age shall be compelled to attend school every day.

Mr. LATHAM: If the hon. member appreciated the position in the country districts, he would agree that every effort should be made to keep up the attendances at schools.

Mr. Davy: Not at the expense of babies.

Mr. LATHAM: If the amendment were agreed to, it would sacrifice the interests of children over eight years of age.

Hon. G. Taylor: If it is not, it will mean persecuting younger children.

Mr. LATHAM: The parent Act has been in operation for many years with similar provisions, and yet no ill effect has been apparent in the children. The system of education in this State has been carefully planned and we have doctors, dentists and others who come into contact with the children. If the existing law had a detrimental effect upon the children, that fact would have been brought to the knowledge of Parliament long before now. It must be realised that children of tender age are not expected to engage in hard studies; they participate in kindergarten work. If we insist upon the amendment, the result will be to make the lot of the people in the country much more irksome than it is now.

Hon. G. Taylor: Why do not people send their babies to school of their own volition, without being compelled to do so?

Mr. LATHAM: It would be pleasing to me if we did not require to have compulsory education, but it has to be admitted that there are some people who must be prosecuted for not sending their children to school.

Mr. Davy: Do you consider it proper that children six years of age should be compelled to go to school every day?

Mr. LATHAM: I think they are as well off at school, and better off perhaps than if they are allowed to remain at home to run about the house. While at school they are taught discipline, and are not required to do hard work. The kindergarten form of education is a preliminary to the ordinary school work later on. If there were no other reason than another I shall advance, it alone would justify us in leaving the Act as it is. The Minister mentioned the number of cases reported by doctors and dentists to indicate neglect on the part of parents. It we compel children of five or six years of age to attend school, the medical and dental attention given will probably result in building up a finer type of people in Western Australia. I know the member for Mount Margaret does not desire to prevent children being educated.

Hon. G. Taylor: No.

Mr. LATHAM: If the hon. member insists on his amendment, it may have the effect of depriving many country children of the opportunity to secure education and in the interests of those children, I ask him to withdraw his amendment.

Mr. BROWN: I am in favour of leaving the minimum age as it is at present. A child of six has sufficient intelligence to enable it to be educated. I challenge the member for West Perth to cite one brilliant scholar who has not started his education at an early age. Many children have shown marked ability at a very early age. Had the member for Mount Margaret an extensive experience in the country districts, he would never have moved the amendment. I enter a plea for the country districts. Frequently petitions are received from parents in support of an application for a school in their districts, and the ages of the child-

ren who will be available to attend those schools usually range from six to 14. The officials of the Education Department would prefer to erect schools for children of six years of age rather than for children 14 years of age, because when a boy reaches the latter age, he is useful on a farm and is often kept at home. It is impossible for a child who has not received any education until he has reached the age of 12 or 14, to become a scholar. The Education Department know of instances where children 14 years of age have not received any education at all.

Mr. Davy: Do you think that a child of 5½ or six years of age should be compelled to go to school every day?

Mr. BROWN: I do not know about that

Hon. G. Taylor: That is the point.

Mr. BROWN: But if the average attendance falls away, schools are closed up

Mr. Davy: Apart from that aspect, do you think those young children should be compelled to attend school every day?

Mr. BROWN: If they are healthy children, why not?

The Minister for Agriculture: But they are not compelled to attend.

Mr. BROWN: Surely the member for West Perth does not deny that children of the backblocks have the right to get a little schooling. It is only by sending to school children six years of age that we have a chance of maintaining the required average attendance at a country school.

Hon. Sir JAMES MITCHELL: I am sorry I cannot agree with the members for West Perth and Mt. Margaret. Nor do I agree altogether with the last speaker. It would be quite possible for the department to make a regulation providing that if there be a certain number of children within the radius to be served by a proposed school, the school should be erected. I am inclined to agree with the chief inspector, who says it is better to have young children at school than to have them running about the streets.

Hon. G. Taylor: Why not have a nursery, instead of a school for them?

Hon. Sir JAMES MITCHELL: Because the country children like going to school. They are perfectly happy at school.

Mr. Clydesdale: Why not give them a chance to stay at home?

Hon. G. Taylor: Then why have we all these truant inspectors?

Hon. Sir JAMES MITCHELL: To look after the older children who absent themselves. I agree with the chief inspector that the younger children are better at school than running about the streets.

Mr. Teesdale: Give them a cottage to play in and some bottles of milk to keep them quiet.

Hon. Sir JAMES MITCHELL: That would be all right. However, I am going to stand by the Minister. This is furnishing a bit of a lesson in the drafting of Bills. We have had more trouble over this Bill than any other this session.

Mr. CHESSON: I agree with the Director of Education that the young children are better at school than in roaming about at home. But for the compulsory provisions, some of our children would get no education at all.

Hon. G. Taylor: That is the fault of the parents.

Mr. CHESSON: I admit it. We all know the trouble we have in getting a school for the backblocks. To make up the required average attendance it is necessary to work in children only six years of age. But for them a lot of our back districts would be without schools. Yet country children are just as fully entitled to education as are the children in the city. Country children six years of age must be sent to school, else there will be no school for the benefit of the older children. The little ones are not overworked at school. They are given light kindergarten courses, and it is easy to get exemption for them whenever it is desired to keep them at home.

Mr. THOMSON: The hon. member who moved the amendment said he was anxious to protect the younger children. Neither he nor the member for West Perth produced any medical evidence showing that it is injurious to health to let a six-year-old child attend school. Had those members put up some evidence of the sort, one might have been more inclined to view the amendment with favour. The member for Mt. Margaret said he was not at all concerned about the statement of the chief inspector that a number of schools would be closed if the school age were raised from six years to eight years. But during the tea adjournment I was informed on excellent authority that if the age were raised it would mean the closing of 150 schools in country districts.

Mr. Davy: Only under regulations. Can not they be altered?

Mr. THOMSON: Those of us who represent country districts know the great difficulty we have in obtaining schools to-day. In some instances, especially in scattered districts, it is almost impossible. Certainly we have what are known as correspondence classes. But I wonder if the member for West Perth or the member for Mt. Margaret realises the enormous task those classes impose on the average mother in the country districts? Such a woman, perhaps, not only has her own children to look after, but has to cook for two or three men working on her husband's farm. Those of us who represent country districts are keenly aware of the obstacles we have to overcome to enable country children to secure reasonably good primary eduction. Let me read this from page 4 of the latest report of the Education Department—

> Of the 43 schools closed or not re-opened, 33 were in agricultural districts: among these are included two which were amalgamated with others. Of the remaining ten, four were on group settlements, one of which was amalgamated; two were in mining districts, two at timber mills, one in the sub-metropolitan district, and one in the metropolitan district. The last mentioned school was amalgamated with another.

No doubt that was the Newcastle-st. school. Then there is this, in the same report—

> A sparse rural population makes the provision of education very difficult and very expensive. But the Government recognise that it is essential that every child should have its opportunity, and endeavour by various methods to meet the needs of all.

The principle that the member for West Perth and the member for Mt. Margaret wish to see put into effect can be put into effect in the metropolitan area and in the larger towns, and that without inflicting any hardship upon anybody.

Mr. Davy: You think we are right in saying that theoretically children six years of age should not be compelled to go to school every day?

Mr. THOMSON: The hon. member said that his own child, about six years of age, attended school only when he pleased; that if he did not want to go to school there was nothing to compel him to go. That is a most astounding method of training a child. Carry it to its logical conclusion, and whenever any child, irrespective of age, desires to stay away from school, he can stay away.

Mr. Davy: What about a child three or four years of age?

Mr. THOMSON: Just now we are drawing the line at six years of age. The hon. member's method of training children does not appeal to me. In view of the difficulties we already have in getting schools for country districts, I apeal to the member for Mt. Margaret not to press his amendment. It is sufficiently hard to get the required average attendance now when the recognised age is six years. This report of the Education Department shows that wherever there is a reasonable prospect of an average attendance of ten children, and the permanence of the settlement seems to be assured, the Government undertake to establish a school. The Education Department provides the building, furniture and equipment and appoints and pays the teacher. Such a school is under the same regulations as a large town school, and is open for precisely the same number of weeks in the year. When once established, it is kept open so long as the average attendance does not fall below eight.

The CHAIRMAN: The hon. member had better stick to the amendment. I cannot allow a general discussion.

Mr. THOMSON: I am giving reasons for saying that the amendment is not in the interests of small schools in country districts.

The CHAIRMAN: The hon. member is reading from the report of the Education Department. It is not dealing with the question before the Chair.

Mr. THOMSON: Indirectly it is; for if we increase the age we shall increase the difficulties in getting the required average attendance.

The CHAIRMAN: The question before the Chair is whether the age of six shall be altered. The hon. member is making a general discussion of it.

Mr. THOMSON: But surely I can give reasons——

The CHAIRMAN: The hon. member must deal with the amendment. At present he is not doing so.

Mr. THOMSON: I am.

The CHAIRMAN: I have allowed the hon. member a lot of latitude, but the more I allow him, the further away he gets from the question before the Chair. He is mak-

ing a general discussion of it. We have not even the clause before the Chair. What is before the Chair is the amendment. When that amendment has been disposed of, the clause as a whole can be discussed.

Mr. THOMSON: I am entitled to give reasons why we should reject the amendment. I am quoting from the report of the department.

The CHAIRMAN: There is nothing in what the hon. member has quoted to indicate that the age of attendance should be higher than six. The report deals generally with the question of keeping schools open. I must ask the hon. member to apply his remarks to the amendment.

Mr. THOMSON: I am entitled to quote this report to show how difficult it is to maintain the average attendances under present conditions. The report states that such a school is under the same regulations as a large town school, and is open for precisely the same number of weeks in the year. When once it is established it is kept open so long as the average attendance does not fall below eight. That must convince members that any increase in the school age of children must affect the attendance at country schools.

Hon. G. TAYLOR: Members are saying that my amendment will have a tendency to close schools. I am not aiming at that.

Mr. Thomson: That will be the effect of the amendment.

Hon. G. TAYLOR: Children under eight would still be allowed to go to school in order to maintain the average attendance, but I wish to prevent people being forced to send their young children merely for the purpose of securing education for the older children. Parents should not be forced to send the younger children to school to make up the required complement. The member for York referred to an army of truant inspectors for the purpose of keeping children at school.

Mr. Latham: That is not true.

Hon. G. TAYLOR: That is a nice argument to advance, seeing that we have passed a vote of nearly £700,000 for the education of our children.

Mr. Latham: Do you say there are no truant inspectors?

Hon. G. TAYLOR: The hon. member wants me to agree to compulsorily send to school children who are really no more than babies. It is not sound to compel children of six to go to school. The raising of the age will not jeopardise the existence of small schools. I will never vote to make it a criminal offence if parents do not send to school children of six on every day of their little lives. I like to hear the howl of members representing country districts. I will not submit to the passing of a law to ensure the punishment of parents if they keep their babies at home.

Mr. MANN: I am not convinced it is a benefit to young children to be sent to school, but I do think it would be better that they should be kept at school a year longer. The leaving age should be raised to 15.

The CHAIRMAN: The leaving age is not under discussion.

Mr. MANN: If I were permitted to do so, I think I could show that it is injurious to send young children to school; certainly in some cases. It is not as easy as is supposed to get exemption. If it is necessary to force children to school in order to keep the institution open, it is doubtful whether the school should be kept in existence. Members of the cross-benches have no regard for the welfare of the infants. All they think about is securing the requisite average attendances. The amendment is a good one.

Mr. KENNEALLY: The tendency today is to send children to school as early as possible so that their minds may be correctly moulded for what lies before them. By the improvements which have been effected to our education system, the people have been able more successfully to compete with their neighbours. If children are to make their way in life, they cannot be given too much education.

Mr. Mann: Do you think every child of six is fit to go to school?

Mr. KENNEALLY: No, and for that reason the regulations provide for certain exemptions. If we accept the amendment, it is possible that our children will not be adequately educated. If they do not commence school until they reach the age of eight, how are they to win bursaries and scholarships at a time when these will be of any use to them?

Mr. Davy: Do you suggest we are recommending that children shall not start learning until they are eight?

Mr. KENNEALLY: No. Unfortunately we find in actual practice that some parents do not send their children to school until

they are ten years of age. If the member for West Perth thinks that a child should not be sent compulsorily to school before it is eight years of age, I say deliberately that he and those who think with him are entirely wrong. I hope the amendment will not be carried, because if it be carried we shall be doing an injury to the children of the future, inasmuch as we shall be leaving them in a condition, from an educational point of view, that will not fit them correctly for the life they will have to lead.

Mr. DAVY: I cannot agree with the member for East Perth who says that the modern tendency is to lower the age at which a child shall be sent to school. Kindergartens were established for the very opposite reason to that which he gave. The kindergarten is where the young children go to play, a place to which the children want to go, not to which they are sent, and not where learning is hammered into them.

Mr. Stubbs: It is not hammered into them in the State schools now.

Mr. DAVY: I am not suggesting that it is. The view I am expressing is that what is laid down in the Bill is not in the best interests of little children. The Bill itself is as rigid as it can be, and to subject a child of six to the rigidity of such legislation is simply silly. It is not right that a child should be rigidly sent to school every day as soon as it is six years old. With all due respect I contend that the arguments of Country Party members should not be considered. It is bad that a child of six should be sent to school every day.

Mr. Thomson: You have not proved that.

Mr. DAVY: How can you prove it? What I am saying is that the argument put up by the member for Katanning should not be considered for one moment.

Mr. Thomson: That is a matter of opinion.

Mr. DAVY: If we are right that a child of six should not be sent to school every day, the argument of the member for Katanning is worthless. If our arguments are wrong, then the hon. member's argument is unnecessary.

Mr. LATHAM: What have we to guide us except past experience which tells us that children of six years have not suffered by reason of their having been sent to school?

Mr. Davy: How do you know that?

Mr. LATHAM: It is all very well for the member for West Perth and the member for Perth to argue as they have done. Their children have had nice social surroundings, but it is not so in many other cases. Children of six years of age are well cared for at school and it is better that they should be there instead of roaming about back streets and lanes, as they sometimes do. We have past experience to guide us.

Mr. Mann: And your opinion.

Mr. LATHAM: And that is worth a little more than the opinion of the hon. member. In the country we have sometimes sent children of four years of age to school, so that those schools might be kept open.

Mr. Teesdale: More shame to you.

Hon. G. Taylor: A scandalous thing for you to admit.

Mr. LATHAM: Teachers are reasonable, commonsense people in addition to being well trained, and can be relied upon to give children just what their minds can absorb. In the interests of the State the hon. member should withdraw his amendment.

Amendment put and negatived.

Mr. THOMSON: I thought you were going to divide the Committee.

Hon. G. Taylor: I am not responsible for your thoughts.

Clause put and passed.

Clauses 16, 20, 34, Third and Fourth Schedules—agreed to.

Bill again reported with further amendments

BILL—WORKERS' HOMES ACT AMENDMENT.

In Committee.

Clause 1—agreed to.

Clause 2—Amendment of Section 3:

The PREMIER: I move an amendment—

That lines 2, 3, 4 and the words "pendants and by" in line 5 be struck out.

The clause will then read, "Section 3 of the principal Act is amended by inserting before the word "who" in the second line, the words "(subject to paragraph (2) of section 44B)." The clause proposes to limit advances for workers' homes to married per-

sons or unmarried persons with dependants. I propose to drop those lines, leaving the Act virtually as it is to-day so that its benefits will be available to single persons.

Hon. Sir James Mitchell: I object to the inclusion of those words. I think the amendment will improve the clause.

The PREMIER: Yes, it will be an improvement.

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

Clause 3—Amendment of Section 6:

Hon. Sir JAMES MITCHELL: The present practice is for the board to invest money with the Treasury.

The Premier: That has been the practice, but there is no power in the Act to invest it with the Treasury. This will make legal what the board has been doing.

Hon. Sir JAMES MITCHELL: But the clause provides that moneys may be invested by the Treasurer on behalf of the board in such securities as he may think fit.

The Premier: The intention is to leave the money with the Treasury so that it may earn interest for the board.

Hon. Sir JAMES MITCHELL: That is satisfactory.

Clause put and passed.

Clause 4—agreed to.

Clause 5—Amendment of Section 11:

The PREMIER: I move an amendment—

That the words "by substituting the word 'ten' for the word 'twenty' in line three of paragraph (a), and" be struck out.

Section 5 provides for a 20 years appraisement of leasehold homes and I propose to leave it at 20 years. The latter portion of the clause proposes to increase the spread of years from 30 to 35 years. That is necessary because since the original Act was passed we have increased the amount that may be advanced for the purpose of erecting a worker's home. Unless we extend the period of payment, the monthly or weekly instalments may be difficult for people to meet.

Mr. Thomson: You are leaving the existing Act as it stands.

The PREMIER: Yes, except for extending the time for the repayments.

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

Clause 6—Amendment of Section 12:

Hon. Sir JAMES MITCHELL: Instead of a deposit of £5, the amount is to be fixed by the board. Is there any special reason for that?

The PREMIER: It is better that the board should have discretionary power. There is no reason why in many cases the board should not ask for a higher amount.

Hon. G. Taylor: Is that the object?

The PREMIER: Where it may be justified. The sum of £5 was fixed when the advance was £550. In the Act of 1911, the deposit was £10, but it was subsequently reduced to £5. We have increased the advance from £550 to £800, and I think it wise that the board should have discretionary power to increase the amount of the deposit. The manner in which the board has conducted the business justifies us in assuming that nothing harsh will be done and no obstacles will be placed in the way of people who want homes.

Hon. Sir JAMES MITCHELL: The board has been managed so well that we have not lost any money at all. The board has rendered real service to the people who want homes. We wish to encourage people to have their own homes. If we asked £20 deposit the improvement to the security would be very little.

The Premier: No private person would accept it as security.

Hon. Sir JAMES MITCHELL: No: but we are seeking to encourage people to get homes. When a man gets a workers' home, there is a good deal of expense apart from the actual building. What is £5 in £500?

Mr. Panton: It is a lot when you have not got it.

Hon. Sir JAMES MITCHELL: As we are seeking to help people who have not the money, we should not demand much by way of deposit. I cannot see that the deposit makes any real difference to the security.

The Premier: No, but where persons can afford to pay more, there is no reason why we should not ask it.

Hon. Sir JAMES MITCHELL: I do not think we would be justified in discriminating very much.

Mr. Thomson: Would a higher deposit mean a reduction in the weekly payments?

Hon. Sir JAMES MITCHELL: If a man has a couple of hundred pounds, he probably gets a better building.

The Premier: As a rule he does not pay a bigger deposit, but gets a better building.

Hon. Sir JAMES MITCHELL: If it becomes a matter of security, £10 on £800 is not much. The board as at present constituted does its work really well, and there need be little fear of giving it absolute power. A man in the country might have a home costing £250 or £300 and it is often hard for him to get the application fee. The board has been operating for 16 years without loss.

The Premier: Five pounds is not much to lose. Sometimes an applicant puts the board to a good deal of trouble and does not go on with the business.

Hon. Sir JAMES MITCHELL: That would be some poor chap who could not afford to lose £5.

The Premier: He might change his mind.

Hon. Sir JAMES MITCHELL: But the real cost of the department goes on because it would have many applications to consider and not more than five in 100 applicants would change their minds. We want the board to realise our desire is that people who have not money should be able to get homes.

The Premier: The £5 is not very important.

Hon. Sir JAMES MITCHELL: It is to people who have not the money. If the board is under the impression that we require more than £5——

The Premier: It is not. The point is that sometimes people might pay more than £5.

Hon. Sir JAMES MITCHELL: We cannot have one law for one person and another law for another person. The board has made no losses.

The Premier: It has not lost a pound since its inception.

Hon. Sir JAMES MITCHELL: No, it has done just the right thing. The institution has been wonderfully well managed.

The Premier: It is remarkable that in 16 years there has been no loss.

Hon. Sir JAMES MITCHELL: We do not want to make a profit, but we do want to provide houses for the people. I am prepared to leave the clause as it is in order that the board may ask less than is fixed at present.

The Premier: The board understands that. It is not the board's suggestion that more should be charged.

Hon. Sir JAMES MITCHELL: Young people getting married require houses, and often after furnishing they have not much money left. If it is clear that the board is not to take this clause as an instruction to charge more than £5, I am content. It really makes not the slightest difference in the value of the security.

Mr. SAMPSON: The position as regards security is thoroughly sound, because the cost of building is constantly increasing.

The Premier: It might not always be so; there might be a slump.

Mr. SAMPSON: For many years, the cost of building has risen, and as a result securities have stiffened.

Mr. PANTON: I am not sure that this matter should be left to the discretion of the board, even though they have done wonderful work. It must be realised that the worker now desirous of securing a home will have to find a good deal of the cost outside the board. Out of the average worker's pay of £4 10s. to £5 per week, an amount of £800 with interest cannot possibly be paid off in 30 years. The worker must find £150 or £200 to enable him to meet the weekly or fortnightly payments. The amount of principal paid off during the first 13 or 14 years is infinitesimal. Having to find £150 or £200, the worker would not be able to make a considerable deposit. The Act must be run purely on business lines, and an applicant prepared to make a considerable deposit would get preference over one not prepared to do so.

Mr. Teesdale: Small men should not be made to wait for the sake of men with £1,500 or £2,000.

Mr. PANTON: Applicants should not be turned down because they were unable to make deposits, whilst applicants able to make them obtained homes.

Mr. SAMPSON: The 10 per cent. deposit includes the value of the land. It is desirable to make the Act as flexible as possible. Personally I do not think the board are concerned about getting extra large deposits. Their security is quite sound, and the construction of the building is carefully watched to prevent the likelihood of rapid depreciation. Applicants who make deposits do so with the idea of becoming owners of the homes. The board consider the personal equation more than the size of the deposit.

Hon. G. TAYLOR: The success of the board over a period of 16 years is admitted to be due to excellent business management If one applicant tendered a deposit of £7 or £8 and another a deposit of £70 or £80, the board, from a business point of view, would prefer the latter applicant. The Bill aims at finding homes for people who are unable to obtain them under other conditions. Therefore the Chamber might fix a deposit proportionate to the increased maximum of £800. Then the board would not have to discriminate between an applicant with a large deposit and an applicant with a small one.

The Premier: All right; let it stand as it is.

Clause put and negatived.

Clause 7—negatived.

Clause 8—agreed to.

Clause 9—Amendment of Section 16:

Mr. STUBBS: I move an amendment—

That the following be added to the clause:—"Provided that such lessee may at any time surrender his lease and the certificate of purchase, and obtain in lieu thereof a Crown grant in fee simple under the provisions of the Land Act, 1898, on payment of a sum equal to twenty-five times the amount of the annual ground rent payable under the lease for the time being; ten per centum of such sum being payable on the application for the Crown grant, and the balance in eight equal quarterly instalments."

When the Act of 1911 was passed, certain Crown lands were set aside for the purpose of workers' homes, and the Government were empowered to purchase lands for the same purpose. After the last instalment on a home had been paid, the Crown issued a lease in perpetuity, subject to re-appraisement of the rental once every 20 years. Of all those who have participated in the benefits of the Act since it was first passed, I do not think one in ten thousand would say he would accept a perpetual lease in preference to a Crown certificate of title. Any person who has complied with the conditions of his lease should be able to go to the Titles Office and, after complying with specified requirements, obtain from the Crown a certificate of title in respect of his holding. The amendment will enable a person to spread the payments over a period of two years instead of being required to pay over the full amount at once. I do not think the Premier will object to the amendment, because I believe a Crown title is better than a perpetual lease. No banker or financier would advance the same amount of money on a perpetual lease as on a Crown grant or a certificate of title. The object of every married man and woman is to own his or her home, and to have the title deeds.

Hon. G. Taylor: The same applies to single people, too.

Mr. STUBBS: I hope the Committee will accept the amendment. The Workers' Homes Act has been responsible for an immense amount of good in the metropolitan and country areas, and I have great pleasure in paying a tribute to those who initiated the legislation.

Hon. Sir JAMES MITCHELL: What the Committee have to do is to decide the principle whether a leasehold may be converted into freehold, and I do not think it would be wise to go beyond that until the Premier has had an opportunity to discuss the position with his officers. I do not think we should go further than that and fix the basis of payments and so forth. It must be remembered that, while many blocks have become more valuable than they were when the workers' homes were first erected on them, in other instances the reverse is equally true.

Mr. Stubbs: You would not penalise them on that account?

Hon. Sir JAMES MITCHELL: No, but I think the amendment as it is worded may penalise some people. It would be better to deal with the principle, and then allow the department to fix the conditions in the light of their experience. If that is not done, we may be unfair to some and overgenerous to others. If, after securing a house erected on leasehold land, the lessee finds himself in a position to acquire the freehold, we should give him that opportunity. The fact must not be lost sight of that the Act was framed to help people to secure homes. It is not a matter of cold business, for no business man would dream of making advances as the Government have done. If such an attempt were made by a business man, I do not think the scheme could be run without loss. Although the Workers' Homes Board have done so well in the past, I am not too certain that there will be no losses in the future, in view of the increased advances proposed up to £800. Someone has suggested that building costs will decrease; I think they are at their

peak now. While the leasehold system did help people a god deal when it was first introduced, there is no reason why we should not assist many people to convert their leaseholds into freeholds now. Of course, we must recognise that it is largely a matter of sentiment, because the land can be taxed.

Mr. Stubbs: The bankers do not think it a matter of sentiment.

Hon. Sir JAMES MITCHELL: It is absolutely established that no one owns land as he does his hat or his coat.

The Premier: The Crown never really parts with land.

Hon. Sir JAMES MITCHELL: Of course not. Therefore it is largely a matter of sentiment, but the fact remains that everyone likes to secure the freehold. While 99¾ per cent. of the land sold is freehold and about one-quarter per cent. only is leasehold, it is reasonable to expect that those in the latter category will desire to have the opportunity to convert their leaseholds into freeholds. Then, again, it must be remembered that leasehold land is subject to reappraisement every 20 years. Another point is that under the leasehold system the Crown will still have the land with an increased value attaching to it, whereas the worker will own a house that will decrease in value. In time the house may disappear, but the land will not. I went into this matter myself and I know there are difficulties. If the Premier will allow the Committee to amend the Bill so as to give the Government power to issue Crown grants in place of leases, I do not know that we should do more this evening. The Premier could then consult with his officers as to fixing the basis that the amendment seeks to deal with. As the security is there, I think the Government could agree to a longer period than two years within which the payments may be completed.

The PREMIER: The Committee, of course, will decide for themselves regarding the principle involved in the amendment, but personally I am unable to accept it. The member for Wagin remarked that there was a deep-seated desire in the breast of every man to own his own home. The man who owns a leasehold home owns it entirely and completely.

Hon. Sir James Mitchell: But he does not feel just the same about it.

The PREMIER: No. The objection to leasehold is largely, if not almost wholly, one of sentiment. There may be something in the point raised by the Leader of the Opposition, that if 98 per cent. of the land is freehold, the person with leasehold land will not be able to obtain the same accommodation from banking or financial institutions as the man possessing a freehold title. There may be something in that, because that position would not exist if all land were held under the leasehold system. In that event, the security would be uniformly equal. Inasmuch as a small proportion of the land only is owned under the leasehold system——

Hon. Sir James Mitchell: It is under one-half per cent.

The PREMIER:——it may be that the owners of that land are detrimentally affected.

Mr. Corboy: If the difference is only one of sentiment, why object to the other fellow getting the same accommodation?

The PREMIER: Many of those who have been able to obtain homes would not have had a home at all but for the leasehold provisions. Now, having secured leasehold homes, perhaps naturally they desire to convert them into freehold. Really they are fully protected as they are. Under the freehold principle only a very small proportion of the workers of the country would have been able to acquire homes of their own.

Mr. Thomson: Have you any idea how many have secured leasehold homes?

The PREMIER: I cannot say, but there was quite a number during the first year or two.

Hon. Sir James Mitchell: Yes, particularly at Fremantle, Perth and Narrogin.

The PREMIER: There has not been so many during recent years. A considerable area of land was set aside for the purpose. It was cheap land, and it enabled a considerable number of persons to obtain homes who could not otherwise have done so. Personally, I think the only objection to leasehold is one of sentiment. The home is really the man's own, and is just as secure as is freehold.

Mr. Sampson: But is not so negotiable.

The PREMIER: In some respects it is just as well that is so. The first trouble the owner of a worker's home gets into is when he raises a mortgage. Eventually

very often he has to get out, and the mortgagee assumes possession.

Mr. Stubbs: If there were two homes of the same value, one perpetual leasehold and the other freehold, which would you prefer to buy?

The PREMIER: Personally I would just as soon buy the leasehold home. With the blocks and the houses of equal value, is not the intrinsic value of the leasehold property just as good as that of the freehold? It may be, of course, that the bank will not advance as much against the one as against the other.

Mr. Thomson: Then the man with the leasehold system is not free to sell.

The PREMIER: He is free to sell to the board, and I propose later on to try to provide that once he has paid for his home he can sell it, not merely to the board, but to anybody at all. It is not right that the person who has paid off the whole cost of his building should not be able to sell it to anybody other than the board. And when he sells to the board there is the doubt as to whether he shall have the benefit of the unearned increment, or whether the board shall pay him merely what he has paid for the building. The present market value of some of the homes erected years ago is quite £200 or £300 more than was actually paid for the home. The board, of course, contend that they should pay the owner what he has paid, whereas he on his part expects to get the unearned increment, the same as would the owner of a freehold home. That difference of opinion, of course, serves to make the leasehold property unpopular as against the freehold property.

Hon. Sir James Mitchell: Is it worth while keeping the leasehold provisions?

The PREMIER: For some years past we have not done business under that part of the Act.

Hon. Sir James Mitchell: Do you not think a vote could be taken on the principle contained in the amendment?

The PREMIER: Yes. That could not be done on the amendment as it stands, but if the amendment were cut off at the figures 1898, in the fifth line, it would determine the principle. The hon. member would be wise to drop the latter part of his amendment, and let it stand down to the figures 1898 in the fifth line. Then we could get a clear vote on the principle.

Hon. G. TAYLOR: The member for Wagin would be well advised to accept the suggestion of the Premier and move only the first part of his amendment, down to the figures 1898. We could then vote on the principle therein contained, and the balance of the amendment could be moved as a separate proposal.

Mr. STUBBS: If it be the wish of the majority of the Committee, I am prepared to withdraw my amendment and put it forward in the manner suggested by the Premier.

Amendment by leave withdrawn.

Mr. STUBBS: I move an amendment—

That the following words be added to the clause:—"Provided that such lessee may at any time surrender his lease and the certificate of purchase, and obtain in lieu thereof a Crown grant in fee simple under the provisions of the Land Act, 1898."

Hon. G. TAYLOR: Some years ago a large number of people in this State believed in the leasehold principle, but the idea is now dying out and applicants for building under the leasehold principle are not nearly so numerous as they were in the earlier days. I hope the Committee will accept the amendment.

Mr. THOMSON: I strongly support the principle that a man who has a leasehold property should be allowed to convert it into freehold. I was pleased to hear the Premier say that a man who had paid off the cost of his house should have the right to transfer his property. Many people have leasehold homes who, but for the leasehold provisions, would never have had homes. It is unfair that a man with a leasehold home should not be able to transfer his property. The amendment goes a little way towards meeting the position. It is unfair that a man who has paid for his leasehold home cannot sell it to anybody but the board who, of course, will not pay him the market value, but expect to purchase the home for the net amount he has paid for it. The Act inflicts a hardship on those who, after acquiring their homes, lose their industrial positions and, being unable to find employment in the same locality, have to leave it. The owner of a leasehold home on finding himself thus situated, should be able to sell his home at the market value. The department would take no risk because the same building would be the security. No injustice would be done if a

leaseholder desirous of converting were put in the same position as the freeholder to derive any benefit from the unearned increment. In 1911, when the leasehold principle was introduced, many people purchased land in the country under leasehold conditions, but did not erect homes. The Lefroy Government amended the Act to give such purchasers the right to convert to freehold. The question is of importance to a number of people in Narrogin and to some in Katanning.

Hon. G. Taylor: It is a matter of principle.

Mr. KENNEALLY: I hope the amendment will not be carried. Considerable attention has been given to leasehold in recent years and there is a great division of opinion regarding the merits of the two systems of tenure. If any such change is to be brought about, it should be made by passing a comprehensive measure after due consideration. It should not be made by an amendment moved haphazardly, and I say that with respect.

Hon. G. Taylor: It has been on the notice paper for weeks.

Mr. KENNEALLY: The amendment involves a big alteration that should receive proper consideration, and for us to adopt it in this way would be utterly wrong.

Mr. Thomson: The ex-member for Williams-Narrogin advocated it for years.

Mr. KENNEALLY: Quite so, but other members have advocated the opposite policy for years.

The Minister for Works: And so did the ex-member for Williams-Narrogin at one time.

Mr. KENNEALLY: Yes, as well as other members who are now supporting this alteration. At any rate, the board should be consulted before such a change is made.

Mr. Stubbs: I do not want to make it a party question.

Mr. KENNEALLY: The Committee may be relied upon to see that it is not made a party question.

Mr. Thomson: We are managing the country.

Mr. KENNEALLY: But we have appointed a board to manage the workers' homes.

Mr. Thomson: According to the Act as we frame it, so the board manages the institution.

Mr. KENNEALLY: If the amendment were carried, the result might be regretted later, because big interests and a big principle are involved.

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

Ayes	..	..	..	16
Noes	..	..	..	18
Majority against			..	2

AYES.

Mr. Barnard	Mr. Richardson
Mr. Brown	Mr. Sampson
Mr. Doney	Mr. Stubbs
Mr. Ferguson	Mr. Taylor
Mr. Griffiths	Mr. Teesdale
Mr. Latham	Mr. Thomson
Mr. Lindsay	Mr. North
Mr. Mann	(*Teller.*)
Sir James Mitchell	

NOES.

Mr. Chesson	Mr. Millington
Mr. Collier	Mr. Munsie
Mr. Cowan	Mr. Rowe
Mr. Cunningham	Mr. Sleeman
Mr. Kenneally	Mr. A. Wansbrough
Mr. Kennedy	Mr. Willcock
Mr. Lambert	Mr. Withers
Mr. Lamond	Mr. Wilson
Mr. Marshall	(*Teller.*)
Mr. McCallum	

PAIRS.

AYE.	NO.
Mr. J. M. Smith	Mr. Coverley
Mr. Angelo	Miss Holman

Amendment thus negatived.

[*Mr. Lambert took the Chair.*]

The PREMIER: On the second reading I indicated that some relief would be given to the owners of homes regarding some of the restrictions now imposed. The Solicitor-General advises that the clause, as printed, is quite clear, but to meet some of the objections raised on the second reading, I move an amendment—

That the following words be added to the clause:—"and covenants (ii.), (iv.), (v.), (vi.), and (vii.) shall cease to have effect, and Section 19 shall not apply."

The clause reads—

Section 16 of the principal Act is amended by adding thereto the following words:—"and thereafter the lease shall be held subject only to the payment by the lessee of the ground rent and all rates, taxes, and assessments."

After a lessee had paid the full amount of the capital cost, those would be his only obligations. The covenants attached to leasehold homes are contained in Section 14 of the Act and the following are those that will not apply if the amendment is carried—

(ii.) to pay the capital cost of the dwelling-house, with interest thereon, by weekly, fortnightly, or monthly instalments as stipulated.

That is not further required.

(iv.) to repay to the board on demand all premiums paid by the board for insuring the dwelling-house from fire.

When the home becomes his own, it will be his obligation to pay insurance premiums.

(v.) to keep and maintain the dwelling-house in good repair and condition to the satisfaction of the board.

That, too, will be his concern when the home becomes his own.

(vi.) Not to transfer, sublet, mortgage, charge or otherwise dispose of the worker's dwelling otherwise than in accordance with this Act.

These conditions will disappear when the home becomes his own.

(vii.) To continuously reside in the dwelling-house.

It is proposed to allow the owner of the house, as the clause says, to hold it only subject to the payment of the ground rents and of all rates, taxes and assessments. These restrictions will permit him to do practically all he pleases with the home after it becomes his own, except that whoever purchases it will have it on the leasehold instead of on the freehold principle.

Mr. Stubbs: Will it not be re-appraised?

The PREMIER: Yes, every 20 years, as provided in the Act.

Mr. Stubbs: Is that not a severe restriction?

The PREMIER: No. We know to what extent land values have increased in the metropolitan area in the past 20 years, and can imagine to what extent they will have increased by another 20 years.

Mr. Stubbs: Is not the owner entitled to get the benefit of that increase?

The PREMIER: He will get the advantage of the lower ground rent for 20 years. These provisions meet most of the objections raised by the member for Menzies and others. They remedy some of the restrictions which have been a source of complaint on the part of many holders of leasehold homes. Clause 10 will also amend Section 19 of the Act.

Hon. Sir JAMES MITCHELL: This is a little better than the present provisions of the Act. The clause, however, only applies when the total cost of the house has been repaid. That has not happened in the case of any house situated on leasehold land. In the next clause an opportunity will be given to improve that position. We should do all we can to make things easier for the worker.

The Premier: The amendment does that.

Hon. Sir JAMES MITCHELL: Only when the cost of the House has been paid off.

Mr. THOMSON: A man will be very old before he derives any benefit from this amendment.

The Premier: Many will be able to do so straightaway.

Mr. THOMSON: In many cases the owners will be at least 60 years old before they get the benefit of it. Have any provisions been made for the man who has paid off half the cost of his house being able to pay off the balance in a lump sum?

Mr. Panton: He can pay off not less than £10 at a time.

Mr. THOMSON: I am concerned about the worker in the country who may be transferred after he has made payments covering a period of 14 years. If the purchaser of the house were prepared to put up the balance due, could he get a clearance certificate from the board?

Mr. Panton: Yes.

Mr. THOMSON: I should have liked to see an amendment to provide for conversion of leasehold holdings into freehold.

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

Clause 10—Amendment of Section 19:

The PREMIER: I move an amendment—

That in paragraph (a) the words "after the word 'shall' in Subsection 2 the words 'if the lease has continued for not less than three years from the commencement thereof' be struck out, and the following inserted in lieu:—"in Subsection 1, after the word 'lessee,' in the third line, the words 'prior to the issue of a certificate of purchase'; and by inserting after the word 'board' the words 'or to another worker, with the approval of the board.'"

The subsection would then read, "No disposition of any worker's dwelling shall be

made by the lessee or any person lawfully claiming under a deceased lessee prior to a certificate of purchase except to the board, or to another worker, with the approval of the board." It is necessary to retain these homes for those for whom they were intended—workers within the meaning of the Act; that is to say, men with an annual income not exceeding £612.

Hon. Sir JAMES MITCHELL: We see what complications arise with leasehold in place of freehold, and always to the disadvantage of the worker. If a worker proposes to transfer to another worker within the meaning of the Act, why should not the board accept him without question? Are the board to say that the seller shall not make a profit out of the sale if he has materially improved the place? Who is to have the value of the improvements—John Brown who is there, or Tom Smith who comes along? Eventually Tom Smith, having cleared the place, will be able to sell without restriction. Such complications are inevitable with leasehold tenure. The advantage should be with the man who goes out.

The Premier: These amendments are in favour of the man who goes out.

Hon. Sir JAMES MITCHELL: I do not think so.

The Premier: They give him practically everything except the freehold.

Hon. Sir JAMES MITCHELL: The first lessee may have greatly improved the property, and the cost of building such a home may have risen by £100.

The Premier: If he sells to the board, he will get only what he has paid; but if he sells to anybody else who is a worker within the meaning of the Act, he can get the extra amount.

Hon. Sir JAMES MITCHELL: If the board agree. The Bill should say that the board must allow it. Suppose the holder of a worker's home is in a town where he cannot get employment.

The Premier: That might happen equally with freehold.

Hon. Sir JAMES MITCHELL: There are too many restrictions.

Mr. Chesson: The board have to approve of the buyer.

Hon. Sir JAMES MITCHELL: If the debt to the board is taken over by the incoming man, that is all the board ought to have to do with the transaction, although they should have the right to approve of the man who takes over the property.

The Premier: Under the amendment, the board will have to approve of the new client when the outgoing man sells prior to the issue of the certificate. That is only right, because the board still have an interest in the home, seeing that it is not paid for.

Hon. Sir JAMES MITCHELL: But the board should have the right only to approve of the incoming man.

Mr. Panton: That is all the board will have under the amendment.

Hon. Sir JAMES MITCHELL: No, I think the board will have the right to approve of the purchase in every detail.

Mr. Panton: If that is so, the amendment is hardly worth while.

Mr. Thomson: It reads like that.

Hon. Sir JAMES MITCHELL: If the amendment means that the board have the right to approve of the new client, then what has it to do with the board if the outgoing man sells at a loss or at a profit?

The Premier: It will have nothing to do with the board if the seller has his certificate, but until such time as the prospective seller secures his certificate, the board have an interest in the home.

Mr. Kenneally: Apparently the Leader of the Opposition is afraid the board may prevent profiteering!

Hon. Sir JAMES MITCHELL: I know a lot of people who engage in profiteering, but they escape punishment—and always will escape it. I do not want the board to have anything to do with the transaction as between the man going out and the man coming in. I do not think the Premier wants that either, so long as the incoming man is suitable to the board.

The Premier: But we are discussing the position at the stage when the man has not got his certificate. Under those circumstances the board have an interest in the property as it is not paid for.

Hon. Sir JAMES MITCHELL: So long as the board's security is not disturbed in any way, the board should have the power only to approve of the incoming client.

The Premier: And that is all we ask for.

Hon. Sir JAMES MITCHELL: I think the amendment goes further than that. So long as we do not interfere with the board's security, we should not give the board more

power. I move an amendment on the amendment—

That the words "with the approval of" be struck out and "approved by" inserted in lieu.

Mr. PANTON: If it is the intention of the Leader of the Opposition to prevent the occupier of a worker's home transferring his interest prior to the purchase price being paid to anyone but the Workers' Homes Board, or if he merely proposes to prevent the occupier of the home from obtaining more than the Workers' Homes Board would agree to, why include the reference to the Board at all? When I read the amendment first, I thought it would leave it open for an occupier of a worker's home to sell to someone other than the board, provided the purchaser was a worker within the meaning of the Act.

The Premier: I take it that is what the amendment means.

Mr. PANTON: From what I understood the Premier and the Leader of the Opposition to say, I took it that it meant the occupier would be able to sell, if the board agreed. If I have a worker's home and I have improved the property and I am offered £100 or £150, the purchaser to take over my liability, will the amendment prevent the acceptance of that offer?

The Premier: No.

Mr. PANTON: I do not think so either.

Mr. Kenneally: In the Davis case, he got the profit.

Mr. PANTON: But in that case the board were finished with the property, except that they had the lease of the land. The instance I refer to would be prior to the purchase being completed. I cannot read into the amendment what the Leader of the Opposition suggests.

The PREMIER: I discussed this very point with the Solicitor-General when the amendment was being drafted. I put this position to him: Suppose a man is within 12 months or two years of the completion of the purchase of his home. He has improved his property, which has increased in value by £200 or £300 during the years he has occupied his home. By some unforseen circumstances he is compelled to sell up. If we did not permit the man who is selling to get the benefit of the increased value, but told him he must sell only at the price he had paid, in 12 months' time, when the second man had completed his purchase, we would have made him a present of £200 or £300. With the amendments we are making, we are saying that when the purchase is completed and the certificate issued, he may sell. It means that the man who for 14 years has kept up his payments gets nothing, while the man who makes the purchase gets the increased value. I pointed out that that would be very unfair. I think the amendment would meet that. I made it very clear. I can only say I will consult the Solicitor-General again.

Hon. Sir James Mitchell: We could insert the words "approved by the board." That would make it quite clear.

The PREMIER: I cannot see the difference between "another worker with the approval of the board" and "approved by the board."

Hon. Sir James Mitchell: I mean that the worker, not the sale, should be approved.

The PREMIER: It says he may sell to another worker with the approval of the board. That is to say, he may sell with the approval of the board, but always to a worker. I do not see any difference between the two.

Amendment on the amendment put and negatived.

Amendment put and passed.

Hon. Sir James Mitchell: It is no damned good now. It is just as bad as when we started.

The PREMIER: We now come to paragraph (b), which I propose to have struck out. I am afraid there is some confusion between the Notice Paper and my amendment. According to the Notice Paper, I should move that "shall" in Subsection 2 be struck out and "may" be inserted in lieu. I am dealing with Clause 10 of the Bill. We have struck out paragraph (a) and I now propose to strike out paragraph (b). In order to give effect to the amendment we have just passed, it is necessary to strike out "shall" and insert "may." If "shall" remains, the sale must be made to the board, whereas we desire to make it permissive. I move an amendment—

That paragraph (b) be struck out.

Hon. Sir JAMES MITCHELL: In the case of a person dying, the board must purchase at the value of the property at the date of the purchase. Now it is proposed that the board may purchase. As it stands,

the board must purchase at the value at the date of purchase. It is not as in the case of a lessee wishing to sell, where he would get only the instalments he had paid; in this instance it is provided that the full value of the property shall be paid. It is proposed to say, not that the board "shall" but that the board "may." It means that they may purchase at a lower price than the value of the property.

Mr. PANTON: I cannot see that the substitution of "may" for "shall" alters the position at all. The Premier, I understand, is desirous of giving the occupier of a worker's home, once he has the purchase certificate, the right to dispose of his home as he thinks fit. Surely when the occupier has paid off the purchase price, if anybody desires to purchase the place with a perpetual lease——

Hon. Sir James Mitchell: We have cleaned that up. We are now on the next provision.

Mr. PANTON: I do not think you have cleaned it up at all.

Hon. G. Taylor: The board have no obligation in the house after it is clear.

Mr. PANTON: They think they have, but I want to show that they have not. The striking out of the covenants has not assisted us. With all due respect to the Crown Law Department, I do not think it is doing what the Crown Law Department suggest. Just take the covenants. Covenant (ii) to pay the capital cost with interest thereon by weekly, fortnightly or monthly instalments would have to be complied with until the purchase was completed. Covenant (iv.) to pay insurance premiums would have to be complied with, but once the purchase was completed there would be no need for the board to worry about it. Covenant (v.) to maintain the house in good repair would apply only until the completion of the purchase.

The Premier: Those covenants applied to the home after it was purchased as well as before.

Mr. PANTON: But the fact of their being struck out does not give the occupier the right to sell the house to whom he likes and for as much as he likes.

The Premier: It removes many of the obstacles.

Mr. PANTON: I want to remove them all.

The Premier: I think it removes them all.

Mr. PANTON: I have occupied a leasehold home in Morrison-street since the inception of the scheme. The improvements to my garden are worth £100 to £150 to a gardener but not to the board. If I finished purchasing my place to-morrow and desired to sell it for £1,000, I could not do so.

The Premier: You could sell only to the board.

Mr. PANTON: The board could demand that I sold only to whom it thought fit.

The Premier: No.

Mr. PANTON: I have an amendment on the notice paper that will clear the matter up. The present amendment provides that the board may purchase. Suppose it did not care to purchase, where is there anything to say I shall sell?

The Premier: Where is there anything to say you shall not sell? There is in the present Act, but the obstacles to selling have been removed.

Mr. PANTON: That is not the general impression.

The Premier: Can you point to any obstacle in the Act to selling for what you can get?

Mr. PANTON: A hard fight has been put up to prevent its being done, but the board gave way. There is nothing to prevent the same thing happening again.

The Premier: I do not agree with you.

Mr. PANTON: Then why does not the Premier accept my amendment? I have no objection to the subsitution of "may" for "shall," but that will not overcome the difficulty.

Amendment put and passed.

Mr. PANTON: I move an amendment—

That the following paragraph be added to the clause:—"(c) by adding a new subsection as follows: Notwithstanding anything to the contrary contained in this section a lessee, or any person lawfully claiming under a deceased lessee, who holds a certificate of purchase issued in accordance with Section 16 of this Act, may dispose of a worker's dwelling otherwise than to the board."

I desire to put it beyond question that once the purchase price has been paid and the certificate issued by the board, the occupier of a leasehold home may dispose of it as he thinks fit. I maintain that the board has no further interest in such a home. It has an interest in the land and the purchaser

would have to pay the annual rent. The land would be increasing in value all the time, even if the house fell down. It is only fair to give the occupier an opportunity to sell to the highest bidder.

The PREMIER: I do not think the amendment is necessary.

Mr. Mann: It will not do any harm.

The PREMIER: I assume it was drafted by the Solicitor-General.

Mr. Panton: It was given to me; I cannot say whether it was drafted by the Solicitor-General, but it may have been.

The PREMIER: The Solicitor-General assured me this morning that the amendment just passed covers the hon. member's amendment. I cannot see that it does not cover it. All the difficulties that lie in the way of a sale have been eliminated. Where is there anything in the Act to prevent the hon. member from doing that which he desires?

Mr. Mann: Except that the board has discretion in the matter.

Hon. Sir James Mitchell: The board should not have power to do more than ensure the incoming tenant being a suitable one.

The PREMIER: That is really all the power the board has in the matter. It must ensure that the house goes to a worker.

Mr. Panton: Why, when the home has been paid off?

The PREMIER: Because the home was built for a worker, and should always remain in the possession of some worker.

Mr. Panton: Although it is paid off?

The PREMIER: Yes. Every such home should remain for all time as a worker's home, and should not be the subject of speculation by persons who do speculate in houses or pass into the hands of some person other than a worker. I will find out, however, whether the amendment is necessary and will meanwhile report progress.

Progress reported.

House adjourned at 10.55 p.m.

Legislative Council,

Wednesday, 21st November, 1928.

The PRESIDENT took the Chair at 4,30 p.m., and read prayers.

QUESTION—CLOSER SETTLEMENT, AREA ACQUIRED.

Hon. E. ROSE asked the Chief Secretary: What area of country has been acquired by the Government for closer settlement under the provisions of the Closer Settlement Act, 1927?

The CHIEF SECRETARY replied: None.

MOTION—MAIN ROADS BOARD ADMINISTRATION, SELECT COMMITTEE.

Admittance of Board Chairman.

HON. E. H. GRAY (West) [4.34] I move—

That the select committee appointed to inquire into the provisions of the Main Roads Act, 1925, and the administration thereof, be instructed to permit the chairman of the Main Roads Board to be present during the examination of witnesses and ask witnesses any questions arising out of the examination.

I want to express regret that the necessity should have arisen for me to submit this motion. I made a request to the members of the select committee at almost the first meeting of that committee that Mr. Tindale should be allowed to attend, but they in their wisdom thought it was not desirable that the chairman of the Main Roads Board should be in attendance in the terms of the motion. They held that ample opportunity would be given for the defence of the officers concerned if the evidence were submitted to Mr. Tindale at a later date and an opportunity afforded him to rebut it at a subsequent meeting of the committee,