

Hon. A. V. R. Abbott: Why is it not required to have a certificated driver for those machines?

The MINISTER FOR MINES: The hon. member has a point there. I do not see the reason for applying the safety rule in one case and not in another. I am prepared to accept the deletion of paragraph (b).

Clause put and passed.

Clause 3—agreed to.

Clause 4—Section 82 amended:

Hon. A. V. R. ABBOTT: From time to time members have objected to legislation by regulation, particularly when it is extraordinarily wide. Of course, we must permit policy to be carried out in detail by regulation, but I think the Premier will realise just how wide the proposed new paragraph (8a) is. Often he has expressed himself as being opposed to government by regulation. I am sorry that the member for Fremantle is not in his seat because he would agree with me. The proposed new paragraph provides for regulations—

regulating the construction, inspection, maintenance and testing of lifting tackle and gear and other appliances or contrivances of whatever description connected or used with any machinery.

Can anyone imagine anything wider than that? There should be some limitation. I ask the Minister to report progress, and consider for what particular purpose such a wide regulation is required.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

House adjourned at 10.19 p.m.

Legislative Council

Wednesday, 27th October, 1954.

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

QUESTION.

WATER SUPPLIES.

As to Provision for Stock.

Hon. J. McI. THOMSON asked the Chief Secretary:

In view of the extremely low quantity of water now held in dams on individual holdings throughout many country districts, which threaten to go dry within the next four or five weeks, plus the fact that there appears very little water, if any, available to cart, can the Minister inform the House—

(1) Has this serious position of supplying stock with water been given any consideration by the Government?

(2) If consideration has been given to this problem, what the Government proposes to do to meet this apparent serious position?

(3) If nothing has been done to date, whether the Government is prepared immediately to investigate the matter so that it will be in a position to meet, without delay, any urgent demands to supply water for stock purposes?

The CHIEF SECRETARY replied:

(1) The position has not yet received detailed consideration, but the serious overall situation is known.

(2) Answered by No. (1).

(3) The situation is being closely watched and means of utilising available water to the best advantage in consultation with appropriate authorities and departments are likely to be adopted. The Government will do its best to meet any emergency, but it cannot accept responsibility for the supply of water for stock where such is not available.

BILL—PHARMACY AND POISONS ACT AMENDMENT.

Introduced by Hon. R. J. Boylen and read a first time.

**BILL—GUARDIANSHIP OF INFANTS
ACT AMENDMENT.**

Read a third time and *passed*.

**BILL—HEALTH ACT AMENDMENT
(No. 2).**

Reports of Committee adopted.

BILL—BUSH FIRES.

In Committee.

Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

The CHAIRMAN: As there are 33 amendments proposed to be moved in Committee, I would like members to be ready to move their amendments at the appropriate time.

Clauses 1 to 7—agreed to.

Clause 8—Bush fires board established:

Hon. C. H. HENNING: I move an amendment—

That after the word "persons" in line 28, page 4, the words "at least three of whom shall be actively engaged in the business of farming" be inserted.

The Bill proposes that the board shall consist of 10 members, some to be nominated by the Government, one by the Underwriters Association, and five by the Road Board Association. It does not necessarily follow that any of the nominees of the Road Board Association will be farmers. As this Bill concerns farmers to a large degree, it is essential for them to have representation, because farmers make use of fire for clearing operations.

The MINISTER FOR THE NORTH-WEST: There is no objection to this amendment. The practice has been for the Road Board Association to submit its nominees and for the Minister to appoint them; and in most cases farmers have been appointed to the board. The only possible objection to the amendment is that a businessman, or some person not qualified as a farmer, might prove to be an asset on this board, and the amendment would prevent his appointment.

Hon. C. H. Henning: We are asking for three of the five nominees to be farmers.

The MINISTER FOR THE NORTH-WEST: There is no objection to the amendment. In some instances a good man could be disqualified by the amendment.

Amendment put and passed.

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

That the words "at such times as may be prescribed by regulation, and, until so prescribed," in lines 7 to 9, page 5, be struck out and the words "at least once every two months during the period between the first day of

October and the first day of May following and during the remainder of the year." inserted in lieu.

If this amendment is accepted, any item that is brought forward for discussion can be considered early in a season. As no time has been set out in the Bill for holding such meetings, it could occur that no meeting would be convened throughout a burning period. This amendment makes it mandatory for the board to hold a meeting every two months during the burning season, and when determined by the chairman outside of the burning season.

The MINISTER FOR THE NORTH-WEST: The advisory committee opposes this amendment, which makes it mandatory on the board to hold meetings during the summer months of the year. In some cases members of the board have to travel distances up to 300 miles to Perth to attend meetings.

Hon. H. L. Roche: They are paid their expenses.

The MINISTER FOR THE NORTH-WEST: Yes, but they are not remunerated for loss of time. If the amendment is accepted, all members will be compelled to attend meetings, and some of them may have to drive over long distances to be at a meeting at which no business is conducted. The main work of the board is done in the winter months before the fire season starts.

Hon. H. L. ROCHE: All members who accept positions on the advisory committee do so knowing full well that they have a duty to discharge. The virtue of the amendment is that a number of meetings must be held. Looking at the constitution of the board I find four civil servants, one nominee of insurance companies—and these people are resident in Perth—and five nominees of the Road Board Association. I consider that decisions of the board should not be made by Government officials who have very little knowledge of the practical side of the problem. A further amendment appearing on the notice paper seeks to increase the number which shall form a quorum.

It is absolutely essential that the representatives of the Road Board Association shall be in attendance at the meetings where decisions are made. The activities of the board should not be carried on solely by the Government representatives. The board as a whole should make all decisions, and for that reason Mr. Diver proposed to make it mandatory for the board to meet once every two months during the fire season when the position is acute. There is nothing to stop the board meeting more frequently.

Amendment put and passed.

Hon. C. H. HENNING: I think that the Minister told us on the second reading that an additional member would be appointed to the board. If we have a board

of 10, the quorum for meetings should be altered from four to five. Some years ago I was a member of a Government board on which the nominees of the departments exceeded the number of other members, and farmers' representatives did not attend meetings because they were informed that any decision arrived at would be at the request of the Minister. In this instance, I consider that an absolute majority should be required to form a quorum. I move an amendment—

That the word "four" in line 14, page 5, be struck out and the word "five" inserted in lieu.

The Minister for the North-West: I have no objection to the amendment.

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

Clause 9—agreed to.

Clause 10—Powers of board:

Hon. L. A. LOGAN: Under paragraphs (b) and (c) in Subclause (2), the board may organise and conduct bush fire brigade demonstrations and competitions, and provide prizes and certificates, and pay the expenses of brigades attending the demonstrations. This seems to be an attempt to place the bush fire brigades on a footing with the volunteer fire brigades, whereas the conditions are totally different.

I should like to know how the proposal is likely to work. Would a fire be arranged for the purpose? For a volunteer brigade to stage a demonstration is easy because it can put up a spectacular show with reel, ladder and hoses. The equipment of a bush fire brigade is rather heavy and a brigade could not be expected to travel far from its own district for this purpose. Evidently to do anything of the nature proposed would be unwieldy. I move an amendment—

That paragraphs (b) and (c) in lines 28 to 33, page 7, be struck out.

The MINISTER FOR THE NORTH-WEST: I hope that the amendment will not be pressed. The object of the paragraphs is to permit of the holding of demonstrations. A successful one was held at Boyup Brook, which enabled the brigade members to learn quite a lot about the Act. The idea of appointing a warden is that he may attend such demonstrations and advise on various aspects of the work. Full expenses would not be paid, and it is not intended that all the brigades should assemble for the purpose of holding a demonstration.

Hon. L. A. Logan: That could be done under the Bill.

The MINISTER FOR THE NORTH-WEST: Yes; but the paragraphs are permissive, and powers are often included in Acts that could be given a wider application than is intended.

Hon. F. R. H. LAVERY: I oppose the amendment. I understand that some years ago a demonstration was held in the Merredin - Bruce Rock area and proved a great incentive to other districts to go ahead with their brigade work. Knowing how the bush fire brigades have developed over a brief period of years, I see no harm in approving of these provisions.

Hon. E. M. DAVIES: I trust the hon. member will not proceed with his amendment. The volunteer firemen in these brigades are exhibiting a very high sense of citizenship in the work they do, and I believe that many people attend the demonstrations in recognition of the services rendered by the brigades. Surely no one would object to the organisation of competitions between the brigades and the offering of prizes! Provided the expenses are reasonable, I think it is only right that these brigades should be able to be recompensed.

Hon. L. CRAIG: The local bush fire brigade at Manjimup puts on a small demonstration every year at show time, and I think that is a good thing; but I feel that paragraph (g) of Subclause (1) covers the position, because under that provision the expenses could be paid.

Hon. Sir Charles Latham: It does not say so.

Hon. L. CRAIG: That paragraph says that the board shall conduct publicity campaigns, and that would include the holding of demonstrations. For that reason I do not think the amendment is necessary.

The MINISTER FOR THE NORTH-WEST: There is a slight difference between the two provisions. Paragraph (g) of Subclause (1) states that the board shall conduct publicity campaigns—

Hon. H. L. Roche: Would that have reference to a campaign for fire prevention, and so on?

The MINISTER FOR THE NORTH-WEST: The purpose of the board is to stimulate interest in the brigades, and the intention of Subclause (2) is to allow the board to recompense the brigades for their expenditure on petrol.

Hon. L. A. LOGAN: I think the authority for any publicity campaign already exists in the Act, as there is nothing to prevent the board putting on a demonstration whenever it likes.

The Minister for the North-West: But at present it could not pay for the petrol.

Hon. L. A. LOGAN: Some members have made reference to the social aspect and other generalities, but I say the moving factors behind the bush fire brigades are self-preservation and the co-operative spirit.

Hon. E. M. Davies: And a high sense of citizenship.

Hon. L. A. LOGAN: A member of a bush fire brigade puts enthusiasm into his work because he never knows when his turn to be the victim of a fire will come. That is his reason for attending, and it is sufficient incentive to bring out a spirit of citizenship. The garage-owner at Perenjori made a truck available for fire-fighting and equipped it, and would be willing to give a practical demonstration at any time. I still have not been given the information I sought.

The MINISTER FOR THE NORTH-WEST: I do not know what further information the hon. member requires. It is not the intention to have a State-wide demonstration, but to authorise the board to recompense brigades for petrol used. It is not intended to pay all expenses in connection with the demonstrations.

Hon. Sir CHARLES LATHAM: I agree with the Minister. After all, Parliament will have to appropriate the money required, and it will be got from revenue. The ordinary fire brigades throughout the State meet somewhere every year and give demonstrations that have an educational value. The cost there is met out of the revenue they receive from the Government, the insurance companies, and so on. In this instance, the whole cost would be thrown on the Government. I believe demonstrations are productive of new ideas that may well be worth having.

Amendment put and negatived.

Clause put and passed.

Clauses 11 and 12—agreed to.

Clause 13—Duties of fire warden:

Hon. N. E. BAXTER: I move an amendment—

That the words "may make use of the services of" in lines 7 and 8, page 9, be struck out and the words "shall co-operate with" inserted in lieu.

This amendment is important to the future conduct of bush fire brigades throughout the State. The bush fire control officer in a country district is almost invariably a farmer and an independent individual, generally most capable of handling his brigade. In addition, he has a full knowledge of the local terrain and is able to take the heavy trucks anywhere they are required. To say that a warden appointed by the board or the Minister should take over control from that officer is ridiculous, as he would have no local knowledge at all. Another aspect is that bush fire control officers in the country would resent a stranger taking control of their bush fire brigade. They would regard him as some of them regard civil servants; and I think members know what I mean.

Hon. Sir Charles Latham: Why are you taking out the word "may" and putting in the word "shall"?

Hon. N. E. BAXTER: If the hon. member will look at the effect of the amendment, he will see that it is necessary.

The MINISTER FOR THE NORTH-WEST: There is no desire to override the voluntary fire control officers merely for the sake of doing so. It is considered that the warden to be appointed should be senior, but it does not mean that he will or must take over from the fire control officer. It might be desirable that he should. The fire control officer might wish it because of a breach of the Act. In a small community the local officers may be reluctant to enforce the Act in certain instances, and they could hand over the responsibility to the bush fire warden.

Hon. A. R. Jones: They could still do it by co-operating.

The MINISTER FOR THE NORTH-WEST: If a warden is to be appointed, he must have some authority. There could be an officer in charge who was possibly not as competent as the warden.

Hon. H. L. Roche: Who is to decide that?

The MINISTER FOR THE NORTH-WEST: It cannot be decided unless it is provided for. The committee prepared some notes which state inter alia that the Rural Fires Committee has had many years' experience dealing with fire control. The authorities appoint a bush fire warden to assist and give some support. To enable the warden to carry out his duties, he must have some standing and should be senior to the local control officers. This is a new appointment and an innovation. There is no intention, the committee points out, to exercise overall control over the activities of the volunteer officers.

Hon. N. E. Baxter: It provides that it is subject to his direction and control.

The MINISTER FOR THE NORTH-WEST: The power is there but the intention of the committee is that it shall only be exercised in certain cases. The committee also points out that this authority is necessary because some of the decisions that have to be made by the volunteer officers may be unpopular, and these could be made by the warden. I cannot see how the local control officers can be offended at the provision. I hope the hon. member will not proceed with his amendment.

Hon. A. R. JONES: I support the amendment moved by Mr. Baxter. Members must appreciate that certain areas are divided into zones. It could quite possibly be that in the case of a first appointment a person from the south could be sent to an area in the north of the State. Soon after his appointment a fire could break out; and if he were the wrong man, a lot of damage could be done in the district, which could have been prevented by the fire control officers who were aware

of the needs of the district and the work necessary. The amendment is a good one because the warden has many powers. When he comes into an area he can co-operate with the bush fire brigade officer. I am certain he would have no trouble in having any good suggestions accepted by the fire control officer.

The local man is the right one to issue instructions because he knows the requirements of the district. The warden could be useful in making the report after the investigation had been made into the outbreak of a fire. This would particularly apply in the case of a neighbour's property where it might be awkward for the local control officer to make the investigation. Let us pass the amendment; and if, after a period, we find a further amendment is necessary, we can provide for it.

Hon. C. H. HENNING: I support the amendment. The main purpose of the Act is to provide for getting to the seat of the fire as soon as possible and putting it out. A plan that is first made, although not always best is generally best. It is entirely wrong for somebody else to come in and even after taking full stock, completely alter a scheme for putting out the fire that has perhaps been suggested by the local control officer. As Mr. Baxter mentioned, the warden may be there one, two, or three hours; he may not even go to the fire at all. But where he does, he will not know the local position until he gets to the point of the fire. It is no good saying he can make use of the services of the bush fire control officer; let them co-operate and work together. The warden should not be permitted to alter the entire scheme for putting out a blaze. I trust the Minister will agree to the amendment.

Hon. N. E. BAXTER: I would point out that the officers and captains of some of these fire brigades have as much as £2,000 tied up in bush fire fighting equipment. They would object most strenuously to somebody from outside directing them where they should take their equipment, particularly if it meant moving it over difficult and dangerous terrain. This amendment will not alter the status of bush fire wardens. Section 14 of the Act gives the bush fire warden wide powers; and if they were used in co-operation with the local bush fire officer he could get more information and assistance on fires. If a man is placed over the head of the men of the district, he will only meet with antagonism. It would be rather serious if the amendment were not carried, because some of the people in my district will most certainly pull out of the bush fire fighting organisation.

THE MINISTER FOR THE NORTH-WEST: After listening to the arguments put forward by members, and appreciating the logic of them, I do not propose to continue to oppose the amendment.

Amendment put and passed.

Hon. N. E. BAXTER: I move an amendment—

That the words "who is subject to his direction and control" in lines 8 and 9, page 9, be struck out.

This is a consequential amendment.

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

Clause 14—Members of the Board and other persons may enter land or buildings for purposes of the Act:

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

That the words "an officer who is authorised by the board so to do and" in lines 11 and 12, page 9, be struck out.

The purpose of the amendment is to remove the provision for the extra officer which it seems the board desires to appoint. We are concerned at the possibility of there being a little too much officialdom associated with bush fire brigades, and cannot see why it is desired to appoint some further officer to make inquiries and reports on fires in addition to those who will be eligible under the clause.

THE MINISTER FOR THE NORTH-WEST: This provision is to meet a possible eventuality. There are five country members of the board scattered throughout the State and five are in the city, together with the secretary. It is intended to appoint only one warden, though in time to come others may be appointed. That, however, will not be done in the near future. There may be times when the board will require an examination of a fire to be made in some distant place; and in those circumstances it could appoint the secretary of the local road board, for instance, to conduct such inquiry. This would save expense and time.

Hon. C. H. HENNING: Could the Minister say what size district a bush fire warden would cover? Would there be one for each local government area, or one for the whole of the South-West?

The Minister for the North-West: The intention is that there shall be one for the State.

Amendment put and negatived.

Clause put and passed.

Clause 15—agreed to.

Clause 16—Fire protected areas may be declared:

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

That the word "thirty" in line 9, page 10, be struck out.

I trust the Minister will not take exception to this amendment, which provides for altering the date from the 31st day of May to the 1st day of May as the time from which a person may set fire to the bush in the areas referred to in the clause. I think everyone is aware that once the

early days of May are reached there are heavy dews in the countryside, and the conditions to be complied with under this portion of the measure are very onerous. If the lighting of a fire is left till the end of May there is trouble in getting it to burn under any circumstances in a big portion of the State.

THE MINISTER FOR THE NORTH-WEST: I do not know whether the hon. member has looked at the heading of this division. It is headed, "Fire Protected Areas." The clause has not general application.

Hon. L. C. Diver: They can be declared anywhere.

THE MINISTER FOR THE NORTH-WEST: These are special areas.

Hon. L. C. Diver: But can be declared anywhere.

THE MINISTER FOR THE NORTH-WEST: They can be declared. In such areas no burning may take place except where permission has been given. This applies particularly to fire-susceptible parts of the forest.

Hon. Sir Charles Latham: Especially pine plantations.

THE MINISTER FOR THE NORTH-WEST: Yes. At present only two areas are affected, and they are Mundaring and Collie. It is unlikely that many fire protected areas will be declared, because of the difficulty of administering the provisions of the Act. The only officers authorised to issue permits in those areas are forestry officers. Seeing that the areas are specially declared and are very valuable, it seems to me that there should be no interference with this provision. The amendment would change the date from the 31st May to the 1st May, after which date permits would not be required. Burning can be done at any time after the 31st May in these protected areas. Permits are evidently not required after the 31st May, but are necessary during the restricted burning times.

Hon. L. C. Diver: If these are the only areas, why has this provision been included?

THE MINISTER FOR THE NORTH-WEST: It is necessary to protect those areas. By taking the date back, we would be faced with one of the difficult factors in regard to bush fires legislation—namely, weather conditions. There have been instances of quite serious fires occurring in May in some parts of the State. Only a few years ago, on the other hand, successful burning off was recorded in the South-West in the second week of June. The purpose of having fire protected areas is to exercise much more rigid control, particularly in dangerous districts. The Forests Department, from its experience, strongly opposes the amendment, which would enable people to light fires in May

without any control, and without the necessity of having to notify anyone in a fire protected area. The Bill must apply to the whole State. It is not known where future pine forests may be established, but it is known that in the two areas with which we are at present concerned, burning during May can be quite dangerous.

Hon. L. C. Diver: Who would want to burn in a pine forest?

THE MINISTER FOR THE NORTH-WEST: Who would want to burn near one? I think that the provision should be allowed to stand as it is.

Hon. L. CRAIG: I hope the hon. member will not press this amendment. As the Minister has said, only forest areas are affected, and it is necessary that they should be protected. It is known that picnickers visit such areas where there is a terrific deposit of dead leaves from gum trees in the late autumn. I have seen areas with two or three inches of dead leaves, which are very inflammable in May. In my own area I myself have had a fire get away in May. It would be a great mistake to allow picnickers to light fires to boil a billy in forest areas when there is the slightest danger of such fires spreading.

Hon. H. L. ROCHE: It seems to me that the amendment will not achieve the purpose that Mr. Diver intended. But I think it is a matter for regret that we are not able to alter the date of the restricted burning period to the 1st May. Fires will sometimes run for some distance in May in timbered country and also in September and October. I have seen it happen in June. That is no reason why it should be unlawful to light fires at any time, because on rare occasions a fire will run in some of this bush country. Fires in some of the southern areas do far more good than harm; and any man who wittingly lights a fire in May is one who knows what he is doing, and there is never any danger of much damage resulting.

It is a pity that Mr. Diver's amendment refers to this fire protected area instead of being applied to the restricted burning period. Where bush country or Government reserves are adjoining, we cannot always arrange for the local brigade to turn out to do protective burning, and we ourselves have to take the risk in late March or April. If this is not done, and the accumulated rubbish of 10 or 15 years catches fire, there is an inferno. As the amendment is in the wrong part of the Bill, there does not seem much purpose in insisting on it.

Hon. L. C. DIVER: I thank the Minister for his explanation. I trust that the areas that have been enumerated to the Minister by his officers are the total areas concerned. If that be the case, we are just wasting our time. However, I fear that

much larger areas will be defined as fire protected areas. Fire has been one of the chief assets in developing the State, because of its use in clearing millions of acres. The fact that we have reached a certain stage of development, does not give us licence to say that the man who now wants to carve out a livelihood in the bush is not to clear his country until the summer has deteriorated to such an extent that winter is upon him, and so make the matter much more costly to him.

In accepting what the Minister has said, I do not want to find myself at some future time in the position of feeling that I should have insisted on my amendment. I hope he has been correctly informed, and I ask him to check his information. I have a feeling that the forestry areas will come under this; and if they do, the owners of adjacent land will be at a disadvantage when it comes to clearing their country. I do not insist on my amendment.

THE MINISTER FOR THE NORTH-WEST: My notes show that only those two areas—Mundaring and Collie—are at present protected areas. I will see whether I can get the information for the hon. member.

Amendment put and negatived.

Hon. L. C. DIVER: In view of the Minister's explanation, I shall not proceed with my other amendments.

Clause put and passed.

Clause 17—agreed to.

Clause 18—Restricted burning times:

Hon. C. H. HENNING: Because of the penalties provided, the permits, unless absolutely necessary, should be given by one person only and not, as is provided here, by the bush fire control officer or the secretary of the local authority. One person is responsible for giving these permits. If the bush fire control officer is not available, I presume he will delegate the power to the secretary of the local authority. I move an amendment—

That after the word "authority" in line 15, page 14, the words "if the bush fire control officer is not available" be inserted.

THE MINISTER FOR THE NORTH-WEST: There are up to 20 bush fire control officers in some areas, but this paragraph refers to "the bush fire control officer." The word "the" should be "a".

THE CHAIRMAN: What effect would this have on the amendment before the Committee?

Hon. C. H. Henning: None.

THE CHAIRMAN: If Mr. Henning withdrew his amendment temporarily, we could get over the difficulty.

Hon. C. H. Henning: Very well.

Amendment, by leave, withdrawn.

THE MINISTER FOR THE NORTH-WEST: I move an amendment—

That the word "the" where secondly occurring in line 11, page 14, be struck out and the word "a" inserted in lieu. Amendment put and passed.

Hon. C. H. HENNING: Now a lot would depend on whether the secretary, as is frequently the case, was the bush fire control officer. Many secretaries are not interested in the control of fires. Except in the last resort, it would be better for the secretary of the local authority not to be given this authority. I move an amendment—

That after the word "authority" in line 15, page 14, the words "if the bush fire control officer is not available" be inserted.

Hon. L. A. LOGAN: The wording of this amendment is not now correct. Earlier in the paragraph we have changed the word "the" to "a" and the word "the" in Mr. Henning's amendment should be altered to "a", too.

THE CHAIRMAN: Is that satisfactory to the hon. member?

Hon. C. H. Henning: Yes.

THE CHAIRMAN: The question now before the Chair is—

That after the word "authority" in line 15, page 14, the words "if a bush fire control officer is not available" be inserted.

THE MINISTER FOR THE NORTH-WEST: There is no particular objection to the amendment; but I point out that two or three small boards desire this provision because in control-burning, the issue of permits is controlled, and this helps to fit in with the programme of burning.

Amendment put and passed.

Hon. A. R. JONES: I suggest that paragraph (d) is harsh, because when its provisions were applied to small holdings, the owners would have to provide breaks of 10ft. in width. Where the holdings are small, it is sometimes impossible to clear breaks of that width because of trees and so on. Also, it would be a costly business and could mean up to £20 for clearing around an acre block.

Hon. C. W. D. Barker: And there would not be much of the block left.

Hon. A. R. JONES: That is so. Therefore, I move an amendment—

That the words "of at least ten feet or such greater width" in line 21 and 22, page 14, be struck out.

If these words are struck out, the person issuing the permit will be able to use his discretion and say, on the permit, that the person concerned must have a break of such-and-such a width. A person burning a break around his house could get away with a break of only a couple of feet, provided he had available a knapsack spray. In such cases the person issuing the

permit could stipulate the width of the break. I think the position would be well covered.

THE MINISTER FOR THE NORTH-WEST: The Rural Fires Prevention Advisory Committee requests that this amendment be defeated. I shall refer to some notes which have been given to me in connection with this amendment. The amendment would remove the minimum width of firebreak around land that is to be burnt off. The Rural Fires Prevention Advisory Committee regards this width as an absolute minimum for any general burning off. It is appreciated that in many cases it is far too little, and for that reason the additional power to provide a greater width has been granted to a bush fire control officer. There are over 1,000 of these volunteer officers.

It must be remembered that they are volunteers, and that they live in the community in which they must exercise their authority. Many of them take their responsibilities seriously, but others dislike making decisions which are unpopular. This power has been inserted both as a guide and as a definite stipulation on which they may fall back without having to make personal decisions. There is very little burning indeed which would be adequately protected by a firebreak of less than 10ft.

Hon. H. L. Roche: They do not know what they are talking about.

THE MINISTER FOR THE NORTH-WEST: However, prosecutions for offences are in the hands of the bush fire control officers and the local authorities, and for practical purposes it is not considered that the measure will unduly penalise a person burning off a very small area. Incidentally, if only a small area is involved, and it would not require a firebreak 10ft. wide, the man concerned could turn over the earth with a spade. In most cases the bush fire control officers do not carry out an inspection. The provision of adequate breaks is the responsibility of the person concerned. If a break of a lesser width is made, and a fire gets away, it becomes the owner's responsibility. The committee is strongly of the opinion that minimum provisions of this nature must be provided as a guide to the volunteer officers.

Apparently Mr. Jones is concerned about the position of holders of small properties. It is pointed out that the burning of firebreaks is covered by a special clause in the Bill, and burning may be done for the purpose of protecting a dwelling-house, or other building, or a haystack, etc., up to five chains from the building between two plough or spade breaks.

Hon. A. R. Jones: In some instances you could not get five chains away from the house.

THE MINISTER FOR THE NORTH-WEST: It would cover a fair area. It is pointed out that the hon. member is mistaken in his inference that these are new restrictions. Both the requirement of the 10ft. break and the provisions regarding burning firebreaks have been in the Act since its inception. The provisions in the Bill are precisely the same as those in the Act, with the addition of further discretion to the bush fire officers to require a wider firebreak for general burning off. In the face of that information, I think this clause should be agreed to as it stands.

Hon. A. R. JONES: I cannot see that the committee is right in saying that the minimum should be 10ft. If the amendment is agreed to, the person issuing the permit to burn will still be able to say whether the break should be more or less than 10ft.

The Minister for the North-West: That is so.

Hon. A. R. JONES: I have here a notice which was issued to its ratepayers by the Mundaring Road Board. I would like to read it in order to illustrate how people who own small properties in that district must be scared out of their wits. These people have been in the habit of burning to protect their small properties for the last 20-odd years. The notice reads—

Bush Fires Act.

Mundaring Road Board.

Attention is directed to the following requirements of the Bush Fires Act, which apply to lighting fires on land in the Mundaring Road District:—

Lighting a fire on land in the Road District is prohibited from 15th December to 15th March inclusive.

Between 1st October and 14th December, and from 16th March to 31st May all burning is subject to at least four days' notice to—

- (a) Each adjoining owner or occupier;
- (b) the Secretary, Mundaring Road Board;
- (c) a Bush Fire Control Officer appointed by the Board;
- (d) a Forest Officer if the land is within two miles of a State Forest; and

Anything to be burned must be surrounded by a firebreak at least 10 feet wide; and

Written permission to burn must be obtained from a Bush Fire Control Officer, or, if within two miles of a State Forest, from a Forests Officer.

If the weather is hot, burn only in the evening.

Burning on Sunday is prohibited.

Don't forget you are liable at law for all damage caused by a fire which escapes from you.

I have a letter from a man who has been a bush fire control officer for 20 years. He lives in the same district, and he had this to say—

In the 20 years I have been here, I have never known, of all the thousands of fires lit, one single blaze that got away and did any but negligible damage. The secret most of the time is water. A couple of knapsack sprays or a hose—even a series of water cans—are worth more than any 10ft. break.

I agree, because a 10ft. break may not mean anything if a fire goes up a tree and wind causes the burning leaves to blow yards away.

The Minister for the North-West: This has been in the Act ever since it has been in existence.

Hon. A. R. JONES: That may be so, but in the past some latitude and commonsense has been used. I hope that this measure will not kill that commonsense which has prevailed, and will not stifle people from protecting their properties. A further passage of his letter reads—

The reactions to this pamphlet from people affected are, as far as I have tested them, firstly anger, then contempt and finally despair. Those of us who have seen a blaze 30ft. high started by a loco in the dead of night and fanned by a 50-miles an hour gale racing towards us, realise full well that our only salvation lies in a wide, cleanly burned firebreak.

I think that is so.

The Minister for the North-West: A wide one, yes.

Hon. A. R. JONES: The letter continues—

Many a lonely housewife stuck in a cottage and surrounded by dry grass waist-high, and many an elderly couple will shiver with fear this summer at every whiff of smoke and at every crackle.

The Minister for the North-West: That supports the provision regarding a 10ft. break.

Hon. A. R. JONES: If we enforce this legislation we will kill the spirit that has existed, and people will not burn breaks necessary to protect their homes. Every firebreak burnt is a means of preventing fires. What will happen in the hills country if no firebreaks are burned this season and a fire started by a locomotive, or anything else, gets away? I hope my amendment will be agreed to.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. A. R. JONES: I would like to emphasise again that the clearing of a 10ft. firebreak is something we should not impose upon small property-owners. Such a provision could be complied with by a farmer, who could take round a plough with the assistance of two or three other

farmers. It would be impossible to provide a break 10ft. wide on small properties travelling over rocky hills on which grass grows and with no chance of stripping it out. The fire control officer has power to direct that a firebreak shall be greater or lesser than 10ft. It has been said that some fire control officers would prefer a firebreak with a minimum width of 10ft., but in my opinion such provision would be very hard.

Hon. L. A. LOGAN: While I appreciate the Minister's argument, particularly that relating to providing a firebreak with a safety width by ploughing, I would point out that that only deals with a break around a haystack or a homestead. If a man had only an acre or two acres of ground, and he tried to make a 10ft. firebreak around his property, it would be too ridiculous for words. I admit that on large properties an ordinary firebreak 10ft. wide may not be wide enough. If there were any way to overcome the difficulty without deleting the whole clause, I would be only too willing to co-operate, but I do not see how we can do it. It seems to me that the only course we can follow is to agree to the amendment moved by Mr. Jones.

Hon. C. H. HENNING: One point has evidently been overlooked. Along the coastal country and in the forest country, the normal procedure is to burn every three or four years. Most of that ground has limestone outcrops, and it is practically impossible to make a firebreak with a minimum width of 10ft. The Forests Department uses as a firebreak what is called patch-burning. Forest and coast country will not burn year after year. It would be found that if a break could be created by patch burning, it would be far safer than one provided according to the terms of this provision. I hope the Minister will take that fact into consideration. A patch-burning break is far more effective than one made by machinery or by man. After patch-burning, although in a year or two green growth may have reappeared, there would be no other vegetation that would cause a fire.

The MINISTER FOR THE NORTH-WEST: This clause deals with restricted burning times during summer months. It would be used only in those cases where a person applied for a permit to burn to complete clearing operations.

Hon. C. H. Henning: A man may not apply for a permit if we do not make the provision reasonable.

The MINISTER FOR THE NORTH-WEST: The person who wants to burn some country under this provision need not necessarily carry out burning to effect a firebreak.

Hon. L. A. Logan: How are you going to get rid of the growth, apart from ploughing?

THE MINISTER FOR THE NORTH-WEST: I did not intend to suggest that it should be burned. A break could be provided before a fire was lit. The ground could either be ploughed or the inflammable material burned back to 10ft. Unfortunately, with this legislation, a provision that applies in one part of the State could not be applied in another.

Hon. L. A. Logan: Could you insert a proviso that this will apply only to those properties comprising a certain number of acres?

THE MINISTER FOR THE NORTH-WEST: Rather than do that, I would prefer to accept the amendment. After all said and done, the permit is issued by the local authority in the district concerned. If the local authority is going to issue a permit to a man to make a firebreak sufficiently wide, I should think that it would be taking a risk if the fire got out of control. Rather than tinker with the clause, I would be more inclined to agree to the amendment.

Amendment put and passed.

Hon. C. H. HENNING: This is an extremely harsh clause, because a man is liable to certain penalties and must also be liable for a certain amount of expense. If a fire gets away from his land after he has taken all precautions, or "if the fire is, in the opinion of a bush fire control officer or an officer of a bush fire brigade, out of control on the land," how anyone can definitely state that such a fire is out of control is beyond me. The normal procedure would be to light a fire against the breeze. In working back, one might get into dense undergrowth or heavily-stacked and windrowed timber; and if that occurred there might be a terrifying sight. A fire control officer, who is fire happy, might come along and direct that it be put out, and the next thing one would know would be that one was liable to a penalty of £100. Therefore, I move an amendment—

That after the word "land" in line 10, page 16, the words "or if the fire is in the opinion of a bush fire control officer or an officer of a bush fire brigade out of control on the land" be struck out.

I hope the Committee will agree to my amendment.

THE MINISTER FOR THE NORTH-WEST: The hon. member cannot appreciate how a fire started by a person on his own property can get out of control. Of course we know that fires do get out of control. The hon. member has in mind small holdings where a number of bush fire brigades are in close attendance, but it is possible for a fire to get completely out of hand in very large holdings.

Hon. C. H. Henning: The clause seeks to leave this in the hands of one person.

THE MINISTER FOR THE NORTH-WEST: This penalty is left in the hands of the local authority. It has been inserted to establish liability on a person who might start a fire after taking all the precautions under Section 18, and thereafter becomes negligent and allows the fire to spread to the neighbouring property.

Hon. H. L. Roche: If the fire spreads to the neighbouring property, that person is liable for damages.

THE MINISTER FOR THE NORTH-WEST: He is liable in a civil action; but what the Bill seeks to do is to enable the local authority to claim some expenses for that person's indifference or negligence. Cases have occurred where land-owners have complied with Section 18 before lighting fires. Having done that they considered that they had carried out all the provisions and took no further precautions, and the fires got away. Through the negligence of such persons, bush fire brigades have been called out. All this seeks to do is—

Hon. H. L. Roche: To destroy the whole principle of voluntary fire brigades.

THE MINISTER FOR THE NORTH-WEST: No action can be taken under this clause unless instituted by the local authority itself. Bush fire brigades have asked for this provision.

Hon. H. L. Roche: How many?

THE MINISTER FOR THE NORTH-WEST: I cannot give the exact number but requests have been made to the advisory committee. The clause seeks to establish a liability.

Hon. H. L. Roche: It is a means for repayment of expenses.

THE MINISTER FOR THE NORTH-WEST: There is a limit of £100. What the clause will do is to make people more careful.

Hon. L. C. Diver: Will that clause be applied as strictly to the Commissioner for Railways?

THE MINISTER FOR THE NORTH-WEST: He is not a land-holder.

Hon. J. McI. Thomson: He is the biggest offender.

THE MINISTER FOR THE NORTH-WEST: The land which he administers belongs to the people. If members read this clause carefully, they will see that only the local authority, which is the fire brigade itself, can commence any action for the recovery of expenses. Is it likely that a local authority will use this provision indiscriminately? It may never be required. I do not know whether it was in the old Act.

Hon. L. C. Diver: It was not.

Hon. H. K. Watson: The point is that we have heard the same story in regard to land resumption.

The MINISTER FOR THE NORTH-WEST: That story has been heard from both sides of this House. I hope this amendment will not be pressed. If the mover reads Subclause (5), he will see that the institution of proceedings rests entirely with local authorities.

Hon. L. A. LOGAN: The Forests Department also comes under this clause, and it should be liable to the same penalty of £100. Under the clause, a person who has complied with all the requirements of the Act in lighting a fire, which starts up again a week later by a willy-willy carrying a spark a quarter of a mile away, can be sued for £100 by the local authority. That person is already liable under civil law for any damage suffered by neighbours, and I do not see why he should be liable for £100 expenses.

It is quite easy for a fire to start up again five or six days after it has been, to all intents and purposes, put out. I have seen a fire which started on the Monday and was put out on the same day, but which started up again five days afterwards. A log was smouldering and the grass got on to it five days afterwards and started the fire again. Under this clause the person who lit that fire on the Monday would be liable for £100 expenses. I have no sympathy for any person against whom negligence has been proved; but where it is an act of God, he should not be liable.

Hon. H. L. ROCHE: I support the amendment because it will help to break down the clause. After this amendment has been dealt with, I shall move for the deletion of the whole subclause.

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

Ayes	14
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Noes	10
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Majority for	4
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Ayes.

Hon. N. E. Baxter	Hon. L. A. Logan
Hon. L. Craig	Hon. J. Murray
Hon. L. C. Diver	Hon. H. L. Roche
Hon. Sir Frank Gibson	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. McI. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. C. H. Henning

(Teller.)

Noes.

Hon. R. J. Boylen	Hon. F. R. H. Lavery
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. G. Fraser	Hon. J. D. Teahan
Hon. J. J. Garrigan	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. C. W. D. Barker

(Teller.)

Pairs.

Ayes.	Noes.
Hon. A. F. Griffith	Hon. G. Bennetts
Hon. H. Hearn	Hon. E. M. Heenan

Amendment thus passed.

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

That Subclause (5), page 16, be struck out.

The sort of thing which makes me impatient is the application of these penalties to people living in the country by officials clothed with a little authority, but with no practical knowledge of the problems. The Minister has mentioned the district that I represent. We are getting very much better organised and more experienced year after year in the control of fires. That district expressed opposition to this clause most strongly. It is bad enough for a person to have his land burnt, without charging him for helping to put the fire out. Like all his neighbours, such a man would probably belong to a voluntary fire brigade, and for years would have been helping his neighbours to put their fires out. Under this clause, either through misunderstanding or through the action of an unreasonable local authority, he can become liable for £100 expenses.

This will not assist us in our efforts to organise ourselves to fight fires. If such a fire spreads to an adjoining property and causes damage, the person is liable under common law, but this clause deals with the unfortunate person who gets his own country burnt. The Minister said that this provision has been requested by someone. I would like to know how many of such someones. Someone might have thought about it, someone connected with a Government department. To apply this provision would be wrong in justice and in principle, and would destroy the very thing we are trying to build up—co-operation in fighting fires.

The MINISTER FOR THE NORTH-WEST: There seems to be a lot of misunderstanding of this provision. It merely provides for a recoup of expenses of fire brigades called out as a result of negligence.

Hon. L. A. Logan: Not necessarily negligence.

The MINISTER FOR THE NORTH-WEST: It could be. Not only does it apply to fires out of control on a person's own land, but to a fire that passes off his land.

Hon. H. L. Roche: If it escapes from his land, the neighbour has redress for damages.

The MINISTER FOR THE NORTH-WEST: That is true. This clause provides that the bush fire brigade, which is the local authority, should have the power to recoup expenses if it has been called out through the negligence of the person who lit the fire.

Hon. H. L. Roche: Who requested it?

The MINISTER FOR THE NORTH-WEST: A similar provision has been in the Act since 1937, and I believe it was inserted at the request of a section of farmers.

Hon. A. R. JONES: I support the amendment. I cannot imagine a bush fire brigade being desirous of charging an unfortunate man the expenses in these circumstances. It is an accepted thing in country areas that, no matter how particular the job on which a man might be engaged, when a fire occurs, he drops the job and helps. Nobody would wish to penalise a neighbour under this provision. The only reason I can advance for its inclusion is that it has been prompted by the Forests Department. Such an imposition should not be placed on a farmer when a fire, through bad luck, gets out of control. If the Minister considered it advisable to provide that a person may be charged expenses if found guilty of negligence under common law, I would support him.

Hon. L. C. DIVER: I support the amendment. On more than one occasion, I have known a fire to be started for the purpose of clearing land and, after all the requirements of the law have been complied with and those in attendance considered it safe to disperse, through some freak, the fire has broken out a day or two later on adjacent land. This could be caused by a whirlwind carrying an ember a long distance.

Under this provision, if a man is considered to have failed to do all that he should have done, he will become liable to a penalty of £100. That is not a fair thing. The railway locomotives start more fires than can be attributed to any other cause. Farmers are agreed on that point. Yet the Railway Department will be immune. For some reason, the officials imagine that sparks from a locomotive cannot start a fire more than 80 or 90 yards distant from the line; but when dangerous conditions prevail, fires are started at distances considerably in excess of that. Yet, under the measure, the department is not to be held responsible unless the farmer can prove negligence, but there is no mention of negligence in this subclause.

Amendment put and passed.

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

That the words "other than Subsection (5)" in line 21, page 16, be struck out.

This is consequential upon the passing of the previous amendment.

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

Clause 19—Mode of service of notice:

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

That after the word "personally" in line 32, page 16, the following words be inserted:— "or in such other manner either verbally or in writing as will ensure (except in the case mentioned in paragraph (c) of this section) that every owner, occupier or other person is made aware of the intention to burn and the date and time thereof."

I am aware that a similar provision has been in force since 1937, but experience has shown that it has been more honored in the breach than the observance owing to its impracticability. I cannot remember ever having personally delivered a notice to a neighbour, and I cannot recall having had a notice personally delivered to me. I have tried by the amendment to devise means to overcome the difficulty and make the provision more in keeping with established procedure. Everyone is allocated a day for burning and a job to help to put the fires through; but to comply with the law, a notice must be sent. The practice has been to give the notification by telephone or post, but that is not in accordance with the law.

The MINISTER FOR THE NORTH-WEST: The hon. member is fortunate in being established in a district where everything works so satisfactorily, but provision has to be made to suit all districts. The object of the written notice is to establish the fact that neighbours have been notified, which would be an important point in a court action should a neighbour be burnt out.

Hon. H. L. Roche: If he were burnt out, he would go to the court under common law.

The MINISTER FOR THE NORTH-WEST: Unless the notice were in writing, he could dispute having received it. Thus it would be a protection for the farmer to give the notice in writing. Without this provision, much controversy could arise. The clause implements the mode of service for the purposes described in the preceding clause, under which we have agreed to four days' notice in writing being given of intention to burn. Parliament has already agreed to the mode of notification being in writing, and therefore I cannot see that this amendment would make sense if it were agreed to. I ask the Committee to reject it.

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

Ayes	13
Noes	11
Majority for	2

Ayes.

Hon. N. E. Baxter	Hon. L. A. Logan
Hon. L. Craig	Hon. J. Murray
Hon. L. C. Diver	Hon. H. L. Roche
Hon. Sir Frank Gibson	Hon. C. H. Stimpson
Hon. C. H. Henning	Hon. J. McI. Thomson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	(Teller.)

Noes.

Hon. C. W. D. Barker	Hon. F. R. H. Lavery
Hon. R. J. Boylen	Hon. H. C. Strickland
Hon. E. M. Davies	Hon. J. D. Teahan
Hon. J. J. Garrigan	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. G. Fraser
Hon. Sir Chas. Latham	(Teller.)

Pairs.

Ayes.	Noes.
Hon. A. F. Griffith	Hon. G. Bennetts
Hon. H. Hearn	Hon. E. M. Heenan

Amendment thus passed.

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

That paragraph (b), page 16, be struck out.

This is a consequential amendment.

The MINISTER FOR THE NORTH-WEST: In view of what is now the wording of the clause, this amendment is necessary.

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

Clause 20—agreed to.

Clause 21—Minister may declare bush fire emergency period;

Hon. A. R. JONES: I move an amendment—

That the word "may" in line 26, page 17, be struck out and the word "shall" inserted in lieu.

Those who have studied the Bill believe it is useless in its present form. If this amendment is agreed to, I propose to move a further amendment to strike out all the words from "may" in line 26 down to and including the word "or" in line 28. A newspaper could spread the news by the following morning, but by that time the fire might have gone a long way. The intention of my amendment is that the Minister shall declare the bush fire emergency period by broadcast over the wireless.

The MINISTER FOR THE NORTH-WEST: It would be only under extreme conditions that the Minister would want to notify the people of the area concerned. The hon. member desires to make it mandatory for the Minister to broadcast by radio; but the fact is that broadcast reception is impossible in the Kimberleys, for instance, in day-time.

Hon. A. R. Jones: Is the "Government Gazette" received there every day?

The MINISTER FOR THE NORTH-WEST: The "Government Gazette" would form the evidence in any action that might arise. Surely the Committee does not want to make it mandatory for the Minister to broadcast!

Hon. A. R. Jones: Do you not think he should, in an emergency?

The MINISTER FOR THE NORTH-WEST: It would be a waste of time to broadcast to the North-West in the day-time, or even to places such as Shark Bay or Carnarvon. It would be simply a waste of money. I will accept the position if the hon. member will allow "may" to remain instead of "shall." I would ask the hon. member to reconsider his amendment, as to whether he would leave it to the discretion of the Minister to broadcast. "In such a manner as the Minister deems expedient" would cover a telephone call, a telegram, or something like that.

Hon. C. H. HENNING: The Minister has talked about broadcasts. To my knowledge every morning at 7.20 there is a forestry broadcast from Dwellingup giving complete information about weather conditions for burning during the burning season. We do not say it should come from 6WF or 6WN or anywhere else. The amendment merely provides that the Minister shall make the broadcast. It is being done now, and I cannot see the objection. This information is obtained long before we receive any newspapers or things like that.

Hon. L. A. LOGAN: Unless the Minister immediately informs the people in the areas concerned when he declares an emergency, the provision might just as well not be in the Bill. It would be useless. The quickest way to inform anyone in the South-West Land Division is over the air.

The Minister for the North-West: If they are home.

Hon. L. A. LOGAN: There is bound to be someone at home who can receive the broadcast, and this will be conveyed to those concerned, and possibly to the bush fire control officer.

The Minister for the North-West: I do not object to its being broadcast to places where it would be effective, but I do object to its being broadcast to those where it would not be.

Hon. L. A. LOGAN: The Minister has the prerogative of using the telephone or the telegraph. Unless people are informed immediately, there is no point in the provision.

The CHIEF SECRETARY: I would like the Committee to consider whether if the word "shall" is put in, it would not commit the Crown to expenditure. Have we the right to do that? Before we go any further, I think we should consider that aspect.

Hon. L. C. DIVER: When the radio is used to contact people in country districts during the hot spell, it must be remembered that those broadcasts are going to people who are fire-conscious. There is no question of their being away from home. There is always somebody responsible at

hand, and it is very unlikely that nobody would hear an announcement of this nature.

Hon. H. L. ROCHE: I do not entirely agree with Mr. Diver, because it is possible that the wireless broadcast will come through at 6.45 or 7.45. I cannot see much sense in the provision at all. It is no good having the notification in the "Gazette" or the newspaper, because that would not arrive till the hot spell was over, and would be useless. I do not know why the Minister wants the provision in the Bill. The power should be given to the local control officers to make the decision. They are the people on the spot, and they know the weather conditions in the district.

As Mr. Diver said, during that sort of weather no one leaves the property; and we should leave it to the people on the spot to decide without the Minister having to worry. The Bill covers the whole of the State; and while there may be dangerous conditions in one portion, there may be cool or suitable conditions in another. Accordingly, it would be best to leave the responsibility with the local people. I think the provision would be better out of the Bill altogether.

The MINISTER FOR THE NORTH-WEST: It is necessary to deal with extreme emergency in the Bill, and it is necessary also that once the Minister has declared this period of emergency, nobody can light a fire.

Hon. H. K. Watson: They are liable to a penalty. What is the penalty?

The MINISTER FOR THE NORTH-WEST: Members will recall the large bush fires in the southern end of the State in 1937. The Minister more than likely declared it an emergency period, which prevented anybody in the vicinity from lighting a fire.

Hon. A. R. Jones: There is no objection to that.

The MINISTER FOR THE NORTH-WEST: That is what this provision means. A publication in the "Gazette" costs nothing. What I object to is the insertion of the word "shall." If the word "may" is left, then it permits the Minister to use the most practical method. What is the point in a broadcast if the Minister can ring up the local authorities and let them know? There would be no point in broadcasting to Carnarvon from any time after 8 o'clock in the morning till 6 o'clock at night; and we have bush fires in Carnarvon, as Mr. Craig knows. Many hundreds of square miles were burnt in the Gascoyne district in 1923. It would be useless to make it mandatory on the Minister to broadcast up there. We must also consider the point raised by the Chief Secretary as to whether the word "shall" would not impose expenditure on the Government.

Hon. H. L. ROCHE: I would ask for your ruling, Mr. Chairman, as to whether this Committee is competent to substitute the word "shall" for the word "may."

The CHAIRMAN: Now that my opinion has been asked, I consider that if the amendment were carried, it would make it mandatory on the Government to broadcast, and would impose a burden on the Crown. If the Minister is to be forced to make broadcasts, I do not think the amendment is in order, and accordingly I rule it out of order.

Hon. C. H. SIMPSON: Would it not be in order for Mr. Jones to ask leave to withdraw his amendment dealing with the word "may," and proceed with the rest of it?

The CHAIRMAN: If the hon. member wishes to do so, it will be all right; but I did not think he wanted to proceed.

Hon. A. R. JONES: I took it, Sir, that you ruled my amendment out of order. I am now proceeding with the second amendment. I move—

That the words "by publication of a notice in the 'Gazette' or in a newspaper circulating throughout the State or" in lines 26 to 28, page 17, be struck out.

The MINISTER FOR THE NORTH-WEST: I do not see where this has any effect on the method by which the Minister can advise the districts. I cannot see that it makes any difference whether this is in or out, because the Minister may publish the notice or may not.

Amendment put and passed.

Hon. A. R. JONES: I move an amendment—

That after the word "such" in line 29, page 17, the word "other" be inserted.
Amendment put and passed.

Hon. L. A. LOGAN: I wish to move for the deletion of Subclause (3) on page 18. There are four different authorities operating under the Act. Yet when the Minister declares an emergency period, he will have the right to nominate somebody to take charge in the area in which the emergency has arisen. Despite the fact that there are bush fire control officers, and wardens, and forestry officers, he can appoint somebody else to take charge. That does not make sense to me. I admit that if there happened to be a fire in the North-West, the Minister might want power to appoint somebody for this purpose, and I can see that the deletion of the whole subclause might prevent the Minister from doing that. Consequently, I would rather have a proviso added to the effect that Subclause (3) (a) shall not apply to areas in the South-West Land

Division. If the Minister will agree to such a proviso, I am prepared not to move my amendment.

The CHAIRMAN: Is the hon. member moving for the deletion of Subclause (3)?

Hon. L. A. LOGAN: I am asking the Minister whether he will agree to the addition of a proviso instead of my moving for the deletion of Subclause (3).

The MINISTER FOR THE NORTH-WEST: In view of the notes I have with me, I could not agree to the hon. member's proposition.

The CHAIRMAN: If the hon. member does not move his amendment, I will put the question that the clause stand as amended.

The Minister for the North-West: I cannot agree to the hon. member's suggestion.

Hon. L. A. LOGAN: Then I have no alternative but to move an amendment—

That Subclause (3), page 18, be struck out.

Paragraph (b) of this subclause provides that all local authorities, bush fire control officers, bush fire wardens and the captains, lieutenants and members of bush fire brigades or other persons shall comply with the directions given by the person appointed by the Minister to take charge of the fire-fighting operations. Who is the Minister going to appoint? Say a fire breaks out at Manjimup or Bridgetown, and the Minister declares there is an emergency. He is in Perth. Whom will he appoint? Does he not think that the fire control officer or the warden will take immediate control? But the Minister will say to somebody else, "You take charge."

Hon. H. K. Watson: Control the controller!

Hon. L. A. LOGAN: Yes.

The MINISTER FOR THE NORTH-WEST: The hon. member is confusing fires generally with emergency fires. This provision has to do with an extreme emergency, and it is necessary in order to overcome exactly what the hon. member fears. Let us revert to the forest fires at Walpole. There we have not one fire control officer but control officers all around—dozens of them, and all in charge. This clause provides that the Minister may appoint one to supervise all the operations. He will not be at the fire but at some communication centre directing operations; and he will be in charge. The hon. member asks whom the Minister will appoint. The Minister will be advised by the board, and the board will be advised by the local authorities in the district where the fire is raging.

Hon. L. A. LOGAN: I still cannot agree with the Minister. A fire breaks out and the Minister declares an emergency. Who is he going to appoint to take charge?

Hon. F. R. H. Lavery: He said it would be one of the wardens.

Hon. L. A. LOGAN: Who will advise him which one to appoint?

Hon. H. K. Watson: I think the Minister's explanation was pretty fair.

Hon. L. A. LOGAN: Who will advise the Minister whom he should appoint? These fellows will already be on the job putting the fire out, before the Minister knows one has occurred. The Minister would be in Perth. Whom would he put in charge?

The Minister for the North-West: I have told you once.

Hon. L. A. LOGAN: The Minister said the board would nominate somebody to take charge. Where is the board going to meet, while a fire is raging, in order to appoint someone to take charge?

Hon. L. Craig: Surely it would be done beforehand.

Hon. L. A. LOGAN: How could it be when the case is one of emergency?

Hon. L. Craig: It would be said that in case of emergency Mr. Smith would be in charge.

Hon. L. A. LOGAN: Smith might be in Timbuktu. What will happen? Immediately the fellows take over, they will make sure somebody is in charge.

The Minister for the North-West: That is right; and the Minister will appoint the man they recommend.

Hon. L. A. LOGAN: They will already have done it without the Minister having to do it. When it is provided that these fellows are to take instructions from somebody appointed by the Minister, we are getting away from the idea of the voluntary fire brigade system, and it is being reduced to a departmental affair.

The MINISTER FOR THE NORTH-WEST: The hon. member persistently asks whom the Minister will appoint. I do not know which person he will appoint. But there is not the slightest doubt that this provision is very necessary, and that the appointment will be made on the advice of those fighting the fire. The leaderless legion would request somebody to be appointed to control overall operations, to be responsible for carrying out transport and relief measures that are necessary in connection with big forest fires which burn for weeks and not just for a day. They would advise the secretary of the board who would prepare the papers for the Minister to sign. The Minister would not know the man. I hope the Committee will not agree to the amendment.

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

Ayes	15
Noes	11
Majority for	4

Ayes.

Hon. N. E. Baxter	Hon. L. A. Logan
Hon. L. Craig	Hon. J. Murray
Hon. L. C. Diver	Hon. H. L. Roche
Hon. Sir Frank Gibson	Hon. C. H. Simpson
Hon. C. H. Henning	Hon. J. McI. Thomson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	Hon. H. Hearn
Hon. Sir Chas. Latham	(Teller.)

Noes.

Hon. C. W. D. Barker	Hon. R. F. Hutchison
Hon. R. J. Boylen	Hon. F. R. H. Lavery
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. G. Fraser	Hon. W. F. Willesee
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. E. M. Heenan	(Teller.)

Pair.

Aye.	No.
Hon. A. F. Griffith	Hon. G. Bennetts

Amendment thus passed; the clause, as amended, agreed to.

Clauses 22 and 23—agreed to.

Clause 24—Bush on land growing subterranean clover may be burnt during prohibited burning times:

Hon. N. E. BAXTER: I move an amendment—

That after the word "permit" in line 21, page 22, the words "and in any event does not exceed fifty acres" be struck out.

The section in the Act deals with burning for the purposes of rolling for clover burr. Under this section it is necessary for the owner or occupier to obtain from the local authority, a permit, for which he has to pay a fee, before he can burn clover. The clause provides that each permit will allow of only 50 acres being burnt. If an owner wanted to burn 500 acres he would have to get 10 separate permits. This is rather ridiculous. There is no reason to limit him to 50 acres. This applies only to certain people who burn clover annually. In my district some farmers burn 200 or even 400 acres of clover. I do not know of any fires that have broken out through burning clover. When these people burn clover they do not want a heavy fire that will char the seed, because that would end their clover operations.

The MINISTER FOR THE NORTH-WEST: This provision has been in the Act for many years, and I understand there have been no objections to it.

Hon. N. E. Baxter: How many people have obtained permits?

The MINISTER FOR THE NORTH-WEST: I have no idea. The point is that Division 5 applies to prohibited and restricted times—that is, during the summer months, when it is most dangerous to burn.

Hon. N. E. Baxter: You cannot burn at any other time.

The MINISTER FOR THE NORTH-WEST: Unfortunately, this year it would have been possible to burn at any time because the rainfall was so low. This provision was agreed to in 1950. It seems that 50 acres is the limit which can be burnt in one section. I cannot see where any objection can be raised to these words.

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

Clauses 25 to 33—agreed to.

Clause 34—Burning on Crown lands:

Hon. J. McI. THOMSON: I move an amendment—

That the words "not more than ten chains in width from the boundary of the land or reserve" in lines 34 and 35, page 32, be struck out.

It will be necessary to carry this amendment to enable us to strike out the word "width" and insert in lieu the word "extent", in paragraph (b). In the heavily timbered areas of the State, a 10-chain break is not sufficient, although it may be in other parts. On numerous occasions the Minister has quoted the fires in the Walpole district. There, the sparks fly for hundreds of yards across the trees. The local authorities in this area feel that the provision for a 10-chain break is not applicable there.

The MINISTER FOR THE NORTH-WEST: Ten chains means 660ft., and that is a big jump from the present Act, which lays down 12ft. We are referring to Crown land, and surely the figure in the Bill is a reasonable one. In some forest areas, 10 chains may not be quite sufficient; but in other areas of the State, 10 chains would cover some small reserves. If there were no limitation, a person could set fire to hundreds of square miles of country, and I am sure that people living on the outskirts of the areas concerned would not be pleased if the hon. member's amendment were agreed to. I refer members to notes I have on this point.

At present the Bush Fires Act permits firebreaks of not more than 12ft. on Crown Lands. The Bill proposes that this should be extended to a maximum of 10 chains, as determined by a bush fire control officer. There is a difference between what we call protective burning and the term "firebreak". There must be some limit to the burning that can be done without consulting the authority controlling reserves. It is the present practice, where it is desired to burn the whole of a reserve or a considerable portion of it, to make application to the controlling authority for permission.

The amendment may have quite the reverse effect to that desired by the hon. member. The figure 10 chains is the greatest width mentioned in the legislation for firebreaks. If those figures are deleted and

the question has to be determined by a court there may be a tendency to set a limit in accordance with other firebreaks mentioned in the Bill. It is considered that in extending the distance that may be burnt from 12ft. to 10 chains, a considerable concession has been granted. It is also felt that the local bush fire officer should be given some guidance in the measure. In view of those observations, I hope the hon. member will give serious consideration to his amendment and the effects it might have.

Hon. J. McI. THOMSON: I can see the logic of the Minister's reply; but though the local authorities concerned in this area agree that there is a vast difference between 12ft. and 10 chains, they do not want the width to be stated. They consider, because of the density of forest country, that in times of emergency 10 chains would not be sufficient.

Hon. L. CRAIG: I must support the Minister. A furlong is a fantastic distance to burn a break. Unless there is some limit, anything may happen in a forest area. As Mr. Thomson said, the distance might not be sufficient in certain cases. But in those instances even a mile would be insufficient. In a storm, burning leaves and branches can be carried two miles away and dumped in the middle of a farm. They immediately start another fire. Distance does not matter if there is a storm. To allow anybody to go into valuable forest areas—

Hon. H. L. ROCHE: This does not cover forest areas.

Hon. L. CRAIG: Yes, into Crown land.

Hon. H. L. ROCHE: But not forests.

Hon. L. CRAIG: Very well; except forest areas. To extend the area beyond 10 chains is asking a little too much. Nobody would want to make a break as wide as that. A break of 20 or 30 yards will stop an ordinary fire, unless there is a whirlwind, and in such cases it would not matter whether the break were one mile or two miles wide.

Hon. J. MURRAY: I find myself between two fires in this instance. Mr. Craig has suggested that on Crown lands it would be unfair to stipulate a distance greater than that already mentioned in the Bill. I would be happy if the measure mentioned that forestry practice should be adopted in such cases. Forestry practice is that if there is no road adjacent to forest country the department will immediately make a road by scrubbers or other means. The road may not meet the requirements of motor transport, but it is still a road. Then the department will move into the bush, probably a distance of 22 chains, and make another road parallel with the first. Before there

is any controlled burning, the area between those two roads is burnt and thus a safe break is provided. As a result, when controlled burning is carried out, there is little danger of a fire getting away. I would be perfectly happy if the term "forestry practice" were inserted. The ploughing of a break 22 chains or a mile wide, is not enough unless the country is burnt.

Hon. N. E. BAXTER: I do not know whether I am dumb or not, but I would like an explanation of this clause. To my way of thinking it is badly worded and hard to understand. Does it give a person the authority to clear a break 10 chains in width or does it mean that he has authority to clear a break 10 chains distant from the boundary?

The MINISTER FOR THE NORTH-WEST: It is plain enough to me. A person can burn back not more than 10 chains from the boundary—that would be into the Crown land. It applies only where the person's property abuts Crown land.

Amendment put and negatived.

Clause put and passed.

Clause 35—Powers of Minister on default by local authority:

Hon. L. A. LOGAN: There is one word in Subclause 3(b) that I do not like. Where a board incurs costs and expenses, it has the right to recover the sum in a court of competent jurisdiction. But the subclause says that the amount ascertained by the secretary is conclusive evidence. In other words, it is conclusive evidence before the case reaches court. I do not think that is right.

The person who has been summonsed for recovery of expenses should at least be able to challenge the amount that is assessed by the board. I have no objection to the certificate sent in by the secretary being taken as evidence, but it should not be conclusive evidence. As I understand the clause, it provides that, irrespective of the charges that are put up by the secretary, the court is bound to accept them. Therefore, I move an amendment—

That the word "conclusive" in line 26, page 34, be struck out.

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

Clause 36—agreed to.

Clause 37—Local authority to insure certain persons:

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

That after the word "to" in line 21, page 36, the words "or from" be inserted.

At present an employer who takes his employee to a bush fire is not able to protect himself by insuring against his employee meeting with an accident when returning from the fire. If members read

the provisions contained in paragraph (a) of this clause they will see that any policy taken out by an employer covers an employee only whilst he is travelling to a fire.

A short time ago a man was injured whilst returning from a fire. As he was not on his place of employment he was not covered by the Workers' Compensation Act; nor was he covered by the provisions of the bush fires legislation. The employer was responsible for the payment of his compensation. Eventually his insurance company made an ex gratia payment, but there was a great deal of trouble about it. In view of these circumstances, an employer would be very unwise to take his employee to a fire; because if that man was injured whilst returning from the fire, the employer would be running a great risk. I therefore move this amendment to safeguard against this eventuality.

Amendment put and passed.

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

That after the word "brigade" in line 24, page 36, the following proviso be added:—

Provided that the provisions of this subsection shall not apply in respect of an injury sustained after the work of controlling or extinguishing a bush fire has been completed unless such injury occurs during the journey back to the place of employment, business or residence of the person concerned without any deviation or interruption thereof unconnected with the work of extinguishing or controlling the bush fire.

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

Clause 38—Local authority may appoint bush fire control officer:

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

That the word "may" in line 34, page 36, be struck out and the word "shall" inserted in lieu.

This amendment is necessary to clarify the position that will obtain in some districts if the clause is agreed to as printed. In one area with which I am acquainted there are 11 brigades and all the captains are bush fire control officers; and I know that other districts are similarly placed, although not to the same extent. A set of circumstances could arise when it should be possible to put beyond any doubt who shall be the senior officer.

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

Clause 39—agreed to.

Clause 40—Duties of bush fire control officer on outbreak of bush fire:

Hon. H. L. ROCHE: I intend to vote against this clause. Portion of it appears to be redundant, and other parts of it could lead to confusion. The clause could create rather a foolish position. I have just mentioned that in one district with which I am acquainted there are 10 or 11 brigades. A fire may get out of control in one portion of a district, but it may burn only 20 or 30 acres. Nevertheless, 11 brigades must be organised and be prepared to take 30 or 40 trucks with power plants to the fire. The word used in the clause is "shall." After all is said and done, all that paragraphs (a) and (b) provide is to set out the duties of a brigade. The members of a brigade already know what their duties are. Also, Subclause (2), to my mind, clashes with Clauses 39 (f) and 45 (3) (a).

Under the provisions of this clause, if the bush fire control officer of the local brigade is not available, the bush fire control officer of a neighbouring brigade shall take charge. To my mind such a provision is not necessary, and its wisdom is doubtful. The members of the local brigade would know each other particularly well, and they could quite easily work under one of the members of their brigade should that be necessary, until their captain is available to take control. However, if a bush fire control officer from a strange brigade were appointed to take charge, his ideas would probably be strange to them and this would only lead to confusion. It seems to me that the whole of this clause is of little use, and, in effect, it only sets out what the officers and members of a brigade should and would do.

Hon. L. A. LOGAN: Not much need be said about this clause. All it does is to convert the voluntary bush fire brigades into regimented brigades. It distinctly says they shall, with all possible speed, do certain things.

The Minister for the North-West: Once having made themselves available, they shall.

Hon. H. L. Roche: The only thing to do is not to make themselves available. Where will the organisation get to in that case?

Hon. L. A. LOGAN: We do not want regimentation. Today whenever a fire breaks out, the brigade goes unhesitatingly. Let us keep this on a voluntary basis.

The MINISTER FOR THE NORTH-WEST: Members seem to have found something which has been overlooked for many years.

Hon. H. L. Roche: We want to tidy up the Act.

The MINISTER FOR THE NORTH-WEST: I remember when it was being tidied up for several days in 1950, but yet this clause was left in. This clause has been in the Act since its inception,

and therein lies a serious difficulty in changing it to any great extent. Every local authority which has registered a bush fire brigade, or appointed a bush fire control officer, has by-laws under the Act which elaborate on the domestic affairs of the brigades, etc., and the duties of the bush fire control officers. There are over-80 local authorities which have by-laws of this nature, and it is not practical to check the whole of these to see how they are affected by the proposed deletion of this clause. Several parts of it are the only authority in the Act for a bush fire control officer to take certain action. The Committee had the strongest possible reasons for leaving this clause in its original form, with the exception of one amendment which was to cover an actual difficulty which had arisen.

The purpose of a bush fire control officer is, among other things, to co-ordinate the activities of the fire fighters when three or four brigades are present at a fire. What members must realise is that the local organisations in different districts vary a great deal, and it has been the policy of the committee to leave such matters to the local people except that when it considered the efficiency of the local organisation could be improved, it has pointed out what could be done to increase that efficiency. I will go through the clause paragraph by paragraph.

Paragraph (a) of subclause (1) details the duty which has to be performed by someone if there is to be any efficiency in the fire prevention organisation for a district. Some districts have as many as 25 and 30 brigades, and someone has to stay near a telephone to relay information. It is known that some road boards have elaborated on this paragraph in their by-laws.

Paragraph (b) of the same subclause may not seem to have a great deal of application nowadays; and, in the main, it is treated in that way. In the past it has been used as the basis in some districts which have not registered bush fire brigades, or where the registration has lapsed for some reason. In these cases, provided volunteers and equipment are working under the control of a bush fire control officer, they are covered by the insurance policy and the immunity against legal actions which is conferred by the Act.

Paragraph (c) of the same subclause refers to the power of co-ordinating the activities of a number of bush fire brigades which may attend a fire. This is an authority which is in constant use in a considerable number of road districts. I would again point out that ways have been found of meeting the desires of nearly every district in regard to the local organisation it wants to adopt.

Subclause (2) is a very important provision indeed, and its deletion would severely restrict the power of a bush fire control officer. It is a power which is in very frequent use, particularly in the smaller road districts of the closer settled areas. It has been amended in a rather complicated way, but no one has been able to suggest any other wording which would meet what has been found to be a practical need.

Hon. H. L. Roche: That was not in the parent Act in this form.

The MINISTER FOR THE NORTH-WEST: The clause sets out the duties of a bush fire control officer at the outbreak of a bush fire, and does not differ from the provision in the existing Act. I refer to Section 35 or 37 of the old Act. Every road district is adjoined by others; and in some cases three, or even four, of them all come together near one particular point. This subclause is to overcome the difficulty of fighting bush fires in these particular little areas where local authority districts meet. In the emergency of a bush fire, local authority boundaries do not mean very much.

The purpose of the subclause is to ensure that the bush fire control officers are protected if they consider it necessary to go over the boundary of an adjoining local authority. Does the hon. member suggest that because a fire jumps a road which happens to be a road board boundary, the people fighting it should have to stop and call on the bush fire control officers from the next district? If the subclause is deleted, that is what will happen. If they do go on fighting it in the adjoining district, they will not be covered by insurance, nor will they have any authority under the Act whatever.

The complication in wording is due to the following, but I think I can make it quite clear to members. At the moment the Act only covers a bush fire control officer going into "adjoining" local authorities districts. "Adjoining" is defined in the Bill, and there are some cases where three or four districts meet and two of them are separated by a small strip in a third or fourth district. The word "adjacent" means near to, but can also mean adjoining. Its use here is desired to be restricted to "near to," so it has actually been defined by adding the words "but not contiguous." So the meaning of these words is that the provision applies to districts which actually touch or are near to one another. The subclause clearly states that it does not operate if a bush fire control officer for the actual local authority involved is present.

There are many small communities with a natural common interest, but which are divided between two local authorities. If a fire occurs, the major concern is to see

that the officers and fire fighters are adequately protected. I can assure members there is no difficulty in practice, because they do not in these cases stop to argue whose district they are in but get on with fighting the fire. It is frequently the case that there is only one bush fire control officer of one of the local authorities actually living in the area, and it is only natural he is going to get to any fire first, and so should have some power to act, whatever may be his official district. Some of the near metropolitan road districts have no bush fire control officers. Districts adjoining, however, have officers who frequently operate over the border in fighting a bush fire under the authority of this clause.

This particular clause materially affects the insurance coverage of an officer when he steps outside of his local authority district. By giving him authority to go outside of his district, he will remain covered. No doubt this is a legal point. When an officer of one district steps out of his district and finds no control officer in charge, he will automatically take control of the fire. Later on in the Bill, where the duties of a brigade are defined, it is stated that if a fire control officer of a district is not present, then the person in charge is appointed in order of seniority. That is so, but it would still be a little bit out of keeping with the thoughts of members who are interested in this Bill. If a fire control officer fought a fire under a captain—

Hon. H. L. Roche: Why worry about that? The voluntary brigades are only worried about putting out fires.

The MINISTER FOR THE NORTH-WEST: It comes back to the point that somebody must be in charge.

Hon. H. L. Roche: You are very worried about getting regimentation.

The MINISTER FOR THE NORTH-WEST: No one desires to regiment anybody else. This is an attempt to legislate in a manner to suit all areas of this State. Obviously, that cannot be done.

Hon. J. G. Hislop: What happens if something wrong is done?

The MINISTER FOR THE NORTH-WEST: Fires will still be fought, no matter what we do.

Hon. N. E. Baxter: If there were two fires, which one would they go to?

The MINISTER FOR THE NORTH-WEST: The nearer of the two. Mention has been made of regimentation and objection has been taken to the word "shall." I point out that no regimentation is im-

plied by the use of the word "shall," as members will appreciate by reading the opening portion of the clause, as follows:—

On the outbreak of a bush fire at a place within or adjacent to the district of a local authority, the bush fire control officers of the local authority, or as many of them as may be available, shall, with all possible speed, etc.

A man would not have to make himself available. Mr. Roche has objected to the use of the word "shall." Does he wish to delete the word "available?" A man would have to make himself available and, once he did so, he would then carry out the provisions of the clause.

Hon. L. Craig: What would be the use of his joining a brigade if he did not accept the obligations?

The MINISTER FOR THE NORTH-WEST: Quite so. A similar provision has been in the Act for years and has caused no trouble.

Hon. H. L. Roche: But you are now appointing wardens.

The MINISTER FOR THE NORTH-WEST: We have already passed that provision. As no conflict has arisen between brigades, I see no reason for the deletion of the clause.

Hon. H. L. ROCHE: The Minister has raised the point of insurance and seems to be concerned only with the insurance of control officers, but the poor blinking men of the brigade have not been mentioned. I do not believe that the insurance idea was thought of until my amendment appeared on the notice paper, and I cannot see any sense in retaining the clause.

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

Ayes	12
Noes	14

Majority against	2
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Ayes.	
Hon. C. W. D. Barker	Hon. R. F. Hutchison
Hon. L. Craig	Hon. F. R. H. Lavery
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. G. Fraser	Hon. J. D. Teahan
Hon. J. J. Garrigan	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. R. J. Boylen

(Teller.)

Noes.	
Hon. N. E. Baxter	Hon. L. A. Logan
Hon. L. C. Diver	Hon. J. Murray
Hon. Sir Frank Gibson	Hon. H. L. Roche
Hon. H. Hearn	Hon. C. E. Simpson
Hon. C. H. Henning	Hon. J. McI. Thomson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	Hon. A. F. Griffith

(Teller.)

Aye.	Pair.	No.
Hon. G. Bennetts		Hon. Sir Chas. Latham

Clause thus negatived.

Clauses 41 to 66, Title—agreed to.

Bill reported with amendments.

BILLS (3)—FIRST READING.

- 1, Argentine Ant.
 - 2, Native Welfare.
 - 3, Inspection of Machinery Act Amendment.
- Received from the Assembly.

ADJOURNMENT—SPECIAL.

THE CHIEF SECRETARY (Hon. G. Fraser—West): I move—

That the House at its rising adjourn till 2.15 p.m. tomorrow (Thursday.)

Question put and passed.

House adjourned at 10.17 p.m.

Legislative Assembly

Wednesday, 27th October, 1954.

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

QUESTIONS.**EDUCATION.**

(a) *As to School at Margaret River.*

Mr. BOVELL asked the Minister for Education:

- (1) When will the new school at Margaret River be brought into use?
- (2) What schools are to be consolidated at Margaret River and when is consolidation to take place?

The MINISTER FOR WORKS (for the Minister for Education) replied:

- (1) The 14th February, 1955.
- (2) Investigations are now proceeding.

(b) *As to Contract for School, North Scarborough.*

Mr. NIMMO asked the Minister for Education:

- (1) Further to my question of the 14th October, 1954, has the contract for the North Scarborough school been let?
- (2) If so, can he give the commencing date for the erection of the school?

The MINISTER FOR WORKS (for the Minister for Education) replied:

- (1) Yes.
- (2) No. This will be a monocrete building. The contractor has commenced pre-casting sections at the factory.

RAILWAYS.

As to Closure of Napier-st. Crossing.

Mr. HUTCHINSON asked the Minister for Railways:

- (1) Is he aware that the closure of the Napier-st. crossing of the railway line is occasioning inconvenience to road users and causing a certain stricture of cross-line communications in the Cottesloe area?

- (2) Is it not possible to satisfy safety requirements at this crossing to the extent that it may be reopened for traffic in the near future?

- (3) Has the department any immediate plans for the reopening of this crossing?

The MINISTER replied:

- (1) Some little inconvenience may have been caused during the recent repairs to the Eric-st. bridge, but since that thoroughfare which is situated within a quarter of a mile of Napier-st. has been reopened, any disability suffered by drivers of road vehicles should have disappeared.

- (2) and (3) No.

BASSENDEAN-WELSHPOOL CHORD LINE.

As to Land Resumed and Compensation Payable.

Mr. OLDFIELD asked the Minister for Works:

- (1) Has any final decision been made regarding the Welshpool-Bassendean chord line?