Legislative Council

Tuesday, 13th August, 1957.

CONTENTS.

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

ASSENT TO BILL.

Message from the Lieut-Governor and Administrator received and read notifying assent to the Supply Bill (No. 1), £21,000,000.

QUESTIONS.

RAILWAYS.

Diesel Railcars on Metropolitan Service.

Hon. L. A. LOGAN (for Hon. A. R. Jones) asked the Minister for Railways:

(1) How many diesel railcars are in service on metropolitan passenger service at the present time?

(2) How many more are on order, and when will they be brought into service?

(3) What is the total number required to make the service fully diesel-operated?

(4) What is the estimated annual saving when the system is fully dieselised?

The MINISTER replied:

(1) There are 18 diesel railcars and nine trailers available for service.

(2) Tenders received for 10 additional diesel railcars are being considered.

(3) The numbers required are 58 diesel railcars and 44 trailers. The morning and evening Midland Junction workers' trains would continue to be worked by steam.

(4) Based on existing patronage, an annual reduction in running and maintenance costs is estimated in the vicinity of £200,000.

KIMBERLEY SHORTHORN CATTLE.

Average Carcass Weights.

Hon. F. J. S. WISE asked the Minister for the North-West:

Will he advise whether the officers of the Department of Agriculture consider satisfactory the average carcass weights of cattle of all ages, of the Kimberley evolved Shorthorn type, annually slaughtered at the Wyndham Meat Works?

The MINISTER replied:

The average carcass weight of cattle slaughtered at the Wyndham Meat Works is not regarded as satisfactory. The average weight is reduced by cattle which have been raised under relatively poor conditions, and by cattle which have been travelled over long distances prior to slaughter.

Higher than average carcass weights are obtained with cattle from some pastoral properties.

BILL—NURSES REGISTRATION ACT AMENDMENT.

Second Reading.

Debate resumed from the 8th August.

HON. R. F. HUTCHISON (Suburban—in reply) [4.36]: I listened carefully to speeches made by members on this Bill and was pleased at their attitude. Mr. MacKinnon, while supporting the proposal in the Bill, warned that care should be taken when mental health nurses were allowed a remission of six months for midwifery training. I would, however, point out to the hon. member that, as I mentioned when introducing the Bill, a mental health nurse must also have passed the first-year examination of the general nursing course before being allowed the remission.

The point was raised by Mr. Logan as to whether the proposal in the Bill giving the Governor power to make regulations prescribing the minimum age at which training could be commenced would infringe this House's refusal last year to amend the Act to provide that general nursing trainees could commence training at 17 years of age. The House then decided to adhere to Regulation No. 27, which provides that admittance to an approved training school should be 18 years unless the board otherwise approved.

The amendment in the Bill will not affect this regulation. At present there is no specific power in the Act for regulations to be made prescribing a minimum age. Paragraph (b) of Section 16 does authorise the making generally of such regulations as are necessary to carry the Act into effect, but the proposal in the Bill would make the power quite definite. I would emphasise that this power to

make regulations is given to the Governor, not to a board of examiners as stated by Mr. Logan.

It was also said by Mr. Logan that Section 16 authorised the board of examiners to revise the register from time to time. The hon. member could see no reason why such a board should be involved with the register, as well as the Nurses Registration Board.

I would point out that the hon. member has gained an incorrect impression. There is no such body as a board of examiners, and individual examiners have no powers in regard to the register. If the hon. member will re-read Section 16, he will find it does not give examiners the power he thought it did. The section gives the Governor power to appoint examiners and to make regulations for certain matters, including revision of the register.

The hon. member's last complaint was that at a recent examination trainees were required to answer a question regarding sewerage. He could not understand why the girls should need such knowledge. I would advise the hon. member that the curriculum regulating the training of nurses includes instruction in the proper and safe disposal of faecal and infective wastes and chemicals including disinfectants. The instruction includes a simple explanation of large-scale sewage treatment—this being the avenue of disposal of a large proportion of the waste. Incorrect disposal by a hospital could adversely affect a sewage treatment works, and nurses are therefore instructed in the rudiments of the subject.

The curriculum, a copy of which I have here, lists at page 3, "Principles of large scale sewage treatment" as a subject to be taught. A tutor who does not give this instruction is failing in her duty to her pupils. I would emphasise that this was an optional question, and it could be significant that of one group of 30 candidates, 24 chose to answer the question. In those cases the answers were quite satisfactory and all showed that they had received instruction. While the hon. member said, "The majority of the nurses were very upset by these questions," I am advised that the examination supervisor stated that the majority of the candidates on leaving the examination room expressed pleasure at the paper.

I appreciate the thought members have given to the Bill. It is all to the good when we debate subjects fully here. This is a matter which just wants statutory consent in order to carry out something that has arisen through the board acting in the way it has. I think no harm has been done, and no objection is taken to the carrying out of these regulations. I ask members to support the Bill.

In my view, it is the shortage of nurses which has brought this position about; and nursing is a serious phase in our social life. When the regulations were introduced they gave an opportunity to girls, who might otherwise have been lost to the nursing profession, to take up nursing. On account of the high wages that young girls could get at an early age, they were not prepared to wait for two or three years after leaving school to take up nursing, but accepted the better-paid jobs, and so were lost to a profession that we cannot do without.

Question put and passed.

Bill read a second time.

In Committee.

Bill passed through Committee without debate, reported without amendment and the report adopted.

BILL—JUSTICES ACT AMENDMENT.

Second Reading.

Debate resumed from the 6th August.

HON. SIR CHARLES LATHAM (Central) [4.45:] I have had a look at the Bill, and I can see that it is intended to provide a better and easier method of dealing with complaints. The provision permitting a case to go back to the court so that it can be rectified is a desirable one. There may be many reasons why a person is unable to attend in the first instance. The Bill, generally, will meet with the approval of the House. I am willing to support it.

Question put and passed.

Bill read a second time.

In Committee.

Bill passed through Committee without debate, reported without amendment and the report adopted.

BILL—LOCAL COURTS ACT AMENDMENT.

Second Reading.

Debate resumed from the 7th August.

HON. H. K. WATSON (Metropolitan) [4.48]: As Mr. Heenan explained when introducing the Bill, it is designed principally to simplify and expedite the procedure and rules of practice of the local courts. It has been introduced largely to permit of effect being given to a variety of recommendations that have been made by the Law Society. The Bill has the approval of the Law Society, and I support the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Bill passed through Committee without debate, reported without amendment and the report adopted.

BILL—LEGAL PRACTITIONERS ACT AMENDMENT (No. 1).

Second Reading.

HON. E. M. HEENAN (North-East) [4.50] in moving the second reading said: This small Bill is the result of a request from the Prime Minister that the Deputy Crown Solicitor for the Commonwealth in Western Australia be permitted to enter into articles of clerkship with members of his staff. Section 10 of the principal Act states that no practitioner can enter into articles with a clerk unless the practitioner has been admitted to the Supreme Court for at least two years. This embargo has given rise to considerable difficulty in the staffing of the Deputy Commonwealth Crown Solicitor's office.

To make that clear, I would point out to members that there is a Commonwealth Crown Law Department as distinct from the State Crown Law Department; and, in each State, the Commonwealth has an officer bearing the title of Deputy Commonwealth Crown Solicitor. His department's function is to deal with all legal matters appertaining to the Commonwealth.

It is customary for each Deputy Crown Solicitor, on his appointment, to seek admission to the Supreme Court for permission to practise in Western Australia, or to seek permission to practise in whatever State he is stationed in from time to time. Before admission can be granted in Western Australia there is a six months' residential qualification to be met; and so, at the present time, each new Deputy Commonwealth Crown Solicitor coming from another State cannot employ articled clerks until two and a half years after his appointment. He must have a residential qualification of six months before he can be admitted; and then, having been admitted, he must have two years standing—

Hon. H. K. Watson: In Western Australia?

Hon. E. M. HEENAN: Yes, before he can take an articled clerk. That applies to every State. He must be admitted here for two years before he takes an articled clerk.

It is virtually impossible for a person to be appointed a Deputy Commonwealth Crown Solicitor unless he has been admitted to practise in the Supreme Court of one of the States, or in the High Court of Australia for at least two years prior to his appointment. The Bill seeks to allow this officer to enter into articles of clerkship even though he has been admitted to this State's Supreme Court for less than two years, provided he has been admitted to the High Court or another State's Supreme Court for at least two years.

The Bill provides, also, that any person articled to the Deputy Commonwealth Crown Solicitor will have to comply with the same provisions as those articled to the State Crown Solicitor, before being admitted as a practitioner. These are the possession of a degree of Bachelor of Laws; and, before he can practise on his own behalf, 12 months' experience in a private law office.

It is obvious that a person who receives all his practical training in law in a Crown legal office cannot obtain adequate training in all the branches of the law which are met with in private practice; nor would he be familiar with the organising and administration of a private legal office.

The proposals in the Bill have been agreed to by the president of the Law Society and by Mr. John Hale, Q.C. who often acts as chairman of the Barristers' Board. The main provision applies to the office of Commonwealth Crown Solicitor. As I have pointed out, a man does not reach that high office unless he has been admitted to practice in one of the States, or before the High Court, for at least two years; so that by the time he comes to Western Australia he has fulfilled the normal requirements in that regard.

Hon. C. H. Simpson: Would this be a common request to all States?

Hon. E. M. HEENAN: I do not know the position in all States. I think it may be a request that applies specifically to this State. I do not know off-hand what the residential qualifications are in Queensland or in Tasmania, but I can ascertain them without any difficulty. I move—

> That the Bill be now read a second time.

On motion by Hon. C. H. Simpson, debate adjourned.

BILL—BILLS OF SALE ACT AMENDMENT.

Second Reading.

THE MINISTER FOR RAILWAYS (Hon. H. C. Strickland—North) [4.58] in moving the second reading said: The object of this Bill is to increase the fees payable under the Bills of Sale Act. These fees have not been altered since 1914 and obviously have little relation to current money values. At the present time the amounts of the fees are prescribed by the Act. To conform to present statutory procedure the Bill proposes that all subsequent alterations to those sought in the Bill be made by regulation.

The proposals in the Bill are to increase the fees as follows:—

	Present fee.	Proposed fee.
(1) For a search of the register or of a bill of sale	1s.	2s.
(2) (a) For an office copy or extract of any bill of sale or affidavit	4d. for every folio of 72 words	1s. for every folio of 72 words
(b) If such copy or extract is made by the applicant and certified to by the Registrar	5s. for the whole copy or extract	10s. for the whole copy or extract
(3) On entering a memorandum of satisfaction of a Bill of Sale (including fee for filing the affidavit of execution)	5s.	10s.
(4) On lodging notice of intention to register a bill of sale	1s.	2s.
(5) On withdrawal of a bill of sale	1s.	2s.
(6) On entering a caveat	2s.	4s.
(7) On withdrawal of a caveat	1s.	2s.
(8) On presentation of a bill of sale for registration or for the renewal of registration—		
(a) where the amount or value of the consideration or the sum secured does not exceed £50	5s.	10s.
(b) where it exceeds £50	10s.	£1

It is estimated that these proposed increases will yield an additional £18,000 per year in revenue.

The sum to be derived from this is certainly not very large. But the object of the Bill is to bring the fees somewhere within the present-day general increases which apply everywhere. Apart from these increases the other amendment is to provide that, in future, instead of an increase in fees necessitating the introduction of a Bill, such increase may be made by regulation.

Hon. H. K. Watson: Do you think that is wise?

The MINISTER FOR RAILWAYS: It always has the added protection that instead of a Bill having to be introduced and debated, members may move to disallow the proposed regulations. It would save on printing, and so on.

Hon. Sir Charles Latham: When was the last increase made?

The MINISTER FOR RAILWAYS: In 1914—quite a long time ago. Although these increases represent a 100 per cent. rise, they are certainly not bringing the ancient provisions up to current values.

Hon. A. F. Griffith: Would it not have the disadvantage of allowing fees to be increased for six months before any move could be made to disallow them?

The MINISTER FOR RAILWAYS: That could be so; but as there are not too many of them, and they are not likely to be altered for several years, that would not be of any great moment, and I think it could be left to members. I move—

That the Bill be now read a second time.

On motion by Hon. H. K. Watson, debate adjourned.

BILL—OCCUPATIONAL THERAPISTS.

Second Reading.

HON. E. M. DAVIES (West) [5.4] in moving the second reading said: This Bill is to provide for the training, qualification and registration of persons as occupational therapists, and the practice of occupational therapy and other matters incidental thereto. The Occupational Therapists Association has requested that legislation be introduced to make theirs a registered profession. The Commissioner of Public Health considers this to be desirable and in the interests of the public. The services of occupational therapists are being used on an increasing scale; and, in future, it is expected that the mental health services will utilise more of these services.

When properly qualified, occupational therapists are ethical practitioners and are an essential medical auxiliary. Their services supplement orthodox medical treatment by endeavouring to obtain a speedier and more complete recovery from illness. They also assist the rehabilitation of sick persons and their return to community life. Occupational therapy is defined in the Bill as the use, in the recovery of any person, of any mental and/or physical activity which is prescribed by a medical practitioner.

It is advisable that the public and the medical profession be able to identify the qualified person; and this can be achieved by registration, which will also encourage and foster the development of the profession, and should attract recruits. At present, there is a definite shortage of trained occupational therapists. Provision is made in the Bill for the appointment of a board which would be a body corporate and would be subject to the Minister.

The board would comprise the Commissioner of Public Health, a medical practitioner nominated by the Minister, a nominee of the Senate of the University, and two representatives of the W.A. branch of the Occupational Therapists Association. The funds of the board, apart from defraying expenses incurred in the administration of the Act, including the remuneration of the registrar and staff of the board, may be applied in furtherance of education and research in occupational therapy.

The board may make rules for regulating meetings of the board; for the appointment of deputies for members; prescribing fees to be charged; registering and deregistering of occupational therapists; the tenure of office of members of the board, and prescribing the course of study and classes to be attended and time spent in training, etc.

In order to obtain registration, a person must be 21 years of age, and of good character, and hold qualifications prescribed by the rules, or have been bona

fide engaged in the practice of occupational therapy in the State for at least 24 months during the period of three years next preceding the coming into operation of the Act.

A person would not be entitled to be registered, or continue to be registered, as an occupational therapist if he had, either before or after being registered, been convicted in the State or elsewhere of an offence which, in the opinion of the board, rendered him unfit to be registered.

The use of the title of "occupational therapist" by an unregistered person is prohibited. But a person will not be required to register, nor will it be unlawful for him to give instruction to sick or convalescent persons if he is a teacher of handicrafts, or engaged in his usual occupation as a teacher, or is giving instruction in the skills of his usual occupation.

I would advise members that Dr. Colin Anderson, the then honorary secretary of the B.M.A., was chairman of the committee which recommended the provisions of this Bill. There is no statutory provision in any other State for registration of occupational therapists, but it is expected there will be a move shortly for their recognition throughout Australia. I move—

That the Bill be now read a second time.

On motion by Hon. N. E. Baxter, debate adjourned.

BILL—INTERPRETATION ACT AMENDMENT (No. 1).

Returned from the Assembly without amendment.

BILL—RENTS AND TENANCIES EMERGENCY PROVISIONS ACT CONTINUANCE.

Second Reading.

HON. F. J. S. WISE (North) [5.10] in moving the second reading said: I present this Bill on behalf of the Chief Secretary. It is a continuance measure and is really one of the few relics in legislation which developed as a protective need during the war.

Hon. N. E. Baxter: I am glad you say it's a relic!

Hon. F. J. S. WISE: That's right; and it is in fact one of the few pieces of legislation that is left. The Bill is here for the very good reason that the Government believes the measure is still necessary. I would point out that such legislation is still in existence in all States. In Tasmania, where an almost identical Bill—certainly one with identical provisions—lapsed in 1955, fresh legislation was brought in to constitute a fair rents court. Accordingly, it can be fairly said that similar legislation is still in existence in all other States.

A Bill of this kind has been introduced year after year by different governments since the measure was first brought down; and I shall endeavour, in the course of my few remarks, to show that it is still necessary and still justified. The parent Act contains a simple principle: that of a right being established of approach to the court by either party—whether it be landlord or tenant—in connection with rents. It seeks to continue the operations of this protective principle for those who are in need.

The main provisions of the parent Act are dissimilar from those contained in the legislation when it was first introduced; and this Chamber, it could be said with certainty, has been responsible for the major alterations and operations of the Bill. I think the word "operations" might aptly describe some of the dealings with the Bill since it was first brought down. The chief provisions that remain are those relating to the establishment of a fair rents court, and related matters dealing with rent fixing, all of which expire on the 31st December this year.

The provision concerning the recovery of premises—that part dealing with evictions—expires on the 31st of August; that is, this month. The rent provisions provide for the right of approach to the court by either party for the determination of a fair rent, which must be assessed by the court to show a return on capital of not less than 2 per cent. or more than 8 per cent. The return as set down by the court is at present 6 per cent. on private dwellings and 7 per cent. for investment properties.

With regard to the recovery of premises—that is, the eviction provisions—these provide for three particular features. The first refers to 28 days' protection for all tenants, after which action may be taken through the court to evict. Further, three months' protection is provided when application has been made to either the rent inspector or the court for the determination of a fair rent; and, thirdly, where a determination has been made by the court below 80 per cent. of the rental which has been charged or asked by the landlord, 12 months' protection is given. Unless these provisions are continued after the 31st August, we will revert immediately to prewar conditions.

There is another important aspect attention should be drawn to. There are specific provisions in the parent Act by which protection is given to certain classes of ex-servicemen and their dependants. These are classified as persons receiving pensions for total and permanent incapacity under the Repatriation Act, widows of deceased servicemen with children under the age of 21 years, and certain

classes of servicemen engaged in serving overseas. These persons are described as protected persons under Section 22 of the Act.

It could quite properly be asked whether it would be just at this stage for these provisions to go by the board. These protected persons are entitled to the 28 days' notice already mentioned before they are evicted. The State Housing Commission is required to provide alternative accommodation within a period of six months of the hearing of any proceedings for eviction; and this measure further provides that the court shall not make any order until the house has been made available, unless it is satisfied that the refusal to make an order would cause substantially greater hardship to the owner of the premises.

The matters that have been briefly mentioned are those of importance in the Act; and although it is admitted that the activity of the court is diminishing, it is considered the time is not opportune to drop this legislation. It can be said that if the continuance of the legislation was warranted last year, it is certainly warranted this year.

Hon. H. K. Watson: On what basis?

Hon. F. J. S. WISE: On the basis that today, with families affected by lessening employment in some avenues, hardship could be felt by quite a number of people. In any event, there is nothing wrong with the principle of the right of approach by either party to a court so that they may air their grievances in respect of rent.

Hon. N. E. Baxter: The time factor is a big thing.

Hon. F. J. S. WISE: The fact that the court exists is a brake on some people. The mere indication that rent control was to be abolished completely could have a potential if not a real effect on inflationary tendencies so far as some people are concerned.

Since being asked to introduce this Bill, I have gone to some pains to locate specific instances to show that rents in the vicinity of £5 and £6 per week and higher are being demanded, when a fair rent would be £3 10s. to £4 per week. Instances have been given to me officially in which £7 per week was sought, whereas it was considered that a fair rent would be £4 12s. There was another case in which £5 15s. was asked, whereas the fair rent assessed by the court was £3 11s.

Consequently, with all the lack of desire for such legislation to be perpetuated, I think it must be admitted that we should not revert to the prewar conditions of seven days' notice where families are affected, and that protected persons should still be provided for.

Hon. H. K. Watson: What notice does the Housing Commission give?

Hon. F. J. S. WISE: I think the Housing Commission deals with most of its cases in a most tolerant way.

Hon. H. K. Watson: How many evictions has it made during the past 12 months?

Hon. F. J. S. WISE: I think I have that information here, and I will give it to the hon. member when, as I hope, the Committee stage is reached, with his support. I move—

> That the Bill be now read a second time.

On motion by Hon. H. K. Watson, debate adjourned.

BILL—HEALTH ACT AMENDMENT.

Second Reading.

THE MINISTER FOR RAILWAYS (Hon. H. C. Strickland—North) [5.20] in moving the second reading said: The amendments proposed in this Bill are regarded as necessary for the proper functioning of the principal Act. The first amendment is one which, at first glance, may seem a little humorous. It seeks not only to include, in the definition of "food," a substance that has been known to all of us for many years—chewing gum—but also to define as "food" that strange confectionery called bubble gum.

The reason for this amendment is that legal authorities in other States have ruled that chewing gum is not an article of confectionery, even though it is made out of sugar, flavouring, etc. This ruling is contrary to what we, in Western Australia, have believed to be the position, and could mean that chewing gum and bubble gum, which are sold in very large quantities, would not be subject to health control.

The ingredients which can be used in confectionery, which is defined as "food" under the parent Act, are regulated under our food and drug regulations. If chewing gum and bubble gum cannot be brought within the definition of "food," prohibited dyes could be used in their manufacture and saccharine could be used as a sweetening agent instead of sugar. It is most desirable that there be control under the principal Act of these very widely used commodities.

Hon. H. K. Watson: Are the words "bubble gum" defined?

The MINISTER FOR RAILWAYS: Not that I know of. They probably will be. The second amendment, in Clause 5, is not as formidable as it appears to be.

The parent Act provides for the appointment of "health districts," which are usually the same as the local road or municipal districts. If the boundaries of a local authority are altered as sometimes occurs—or a road district is converted into a municipality, quite an

amount of confusion can result so far as the Health Act is concerned, particularly in regard to the application of by-laws and the standing of health officers. There is nothing in the parent Act to cope with such alterations, and the amendment in the Bill seeks to cover the situation.

At present, Section 107 (7) of the parent Act provides that the fee charged for permission to install a septic tank shall be not more than £2 and not less than 10s. This maximum is not realistic so far as modern money values are concerned. The time spent on inspection and supervision of a tank of, say, 2,500 gallons, justifies a higher fee, and the Bill seeks to increase the maximum from £2 to £5.

The Bill proposes also that, if a local authority is satisfied that the installation of a septic tank renders the existing pan service unnecessary, the local authority may remit or refund part of the pan-service charge. Undoubtedly such refunds have been made by local authorities, but there has been no statutory authority for them.

The next amendment deals with sub-standard living accommodation. Members know that in order to assist self-help builders many local authorities have allowed them to first construct and then live in a garage or a shed. In quite a number of cases the owner, after building his home, has let his garage or shed to another family. It has not been unusual to hear of rents of £3 to £5 a week being charged for this type of accommodation.

It is an offence for an owner to occupy such accommodation without a permit from the local authority, but it is not an offence for an owner to rent it to another person without obtaining a permit. The Bill therefore seeks to make such action an offence.

Section 174 of the principal Act requires owners, occupiers, managers or trustees to submit plans to the Commissioner of Public Health and the local authority when the building of, or alteration to, a public building is proposed. It has been found that, in order to reduce costs, some contractors have not built to the approved specifications. They have done this in the full knowledge that they cannot be proceeded against under the Act. Any action would have to be taken against the owner, occupier, manager, etc., of the building. These few builders have deliberately ignored warnings by the Commissioner of Public Health, who has been loth to proceed against the owners of the buildings concerned. The breaches have not been of a magnitude sufficient to justify a refusal of permission to open the completed building, but they have represented a paring down of internationally accepted safety standards. To meet this situation the Bill seeks to enable enforcement action to be taken against the guilty party.

Section 179 of the Act prescribes a maximum fee of £5 and a minimum of 5s. for the examination of the plans and specifications for any public building, or those for alterations or additions to any public building.

This maximum can be regarded as ridiculous when one considers the time that would be spent in the inspection of a large theatre or other public building, that involves work by architects, electricians, engineers and building surveyors. The Bill seeks to increase the maximum fee to £100. This would enable a reasonable charge to be made in the case of very large buildings.

Subsection (18) of Section 240 of the parent Act enables the Governor to make regulations for the creation of meat-branding areas, which usually correspond to local authority districts, and within which fresh meat cannot be sold unless it has been inspected and branded by a health inspector.

It does occur that meals which are sold in meat-branding areas contain cooked meat which has come from slaughter-houses which are not in a meat-branding area, and, has therefore not been certified by an inspector as fit for human consumption. In such cases, not only are customers deprived of the protection given by meat inspection, but the persons selling the meat have an advantage over those selling inspected meat, which is subject to fees paid for the inspection and branding of carcasses.

The Commissioner of Public Health has recommended, therefore, that it be an offence to sell or offer to sell, in a meat-branding area, any meal or prepared food which contains meat from an unbranded carcass.

The next amendment proposes to insert in the Act a new Part IXA, the objects of which are the prevention and alleviation of certain non-infectious diseases, processes, and physical or functional abnormalities.

At the present time the Act requires medical practitioners to notify the local authority and the Commissioner of Public Health of all cases of infectious diseases so that the proper control measures can be taken.

There are other diseases which, while not infectious, can be prevented or alleviated by investigation and planned action. Among these diseases are:—

(a) Blindness: Although complete information is not available at present, the establishment of special classes for partially-sighted children is an example of what can be done when the nature of the problem is known and its magnitude assessed.

The National Health and Medical Research Council has recommended that blindness be made notifiable in all States.

(b) Cancer: The recently formed Cancer Council is handicapped by lack of reliable knowledge of the numbers, classifications and locations of sufferers of the disease. The council's potential for suggesting progressive measures would be vastly increased if such information were available to them.

(c) Eclampsia: This is a condition of toxaemia of pregnancy, characterised by convulsion and coma; and it is responsible for a high proportion of maternal deaths.

It is known that this wastage of life is largely preventable if expert services are made available in good time. This problem needs close study with a view to evolving a scheme to supply these services. Time is a vital factor, and the National Health and Medical Research Council recommend compulsory notification of the condition.

The Bill, therefore, seeks authority for the promulgation of regulations covering those diseases which are to be reported. No person would be obliged to submit to treatment without his consent.

Section 340 of the Act empowers local authorities to provide immunisation free of charge to any person who consents to such treatment for diphtheria, whooping cough and tetanus. No similar power is possessed by the Commissioner of Public Health.

The use of Salk vaccine and the control of its use for the time being by the Commissioner of Public Health makes it necessary for the Act to be amended to give the commissioner the power to immunise persons free of charge. At the same time it is advisable for local authorities to have the power to provide immunisation facilities for poliomyelitis. The Bill, accordingly, seeks to do this, and to give the Commissioner of Public Health the same powers of immunisation as local authorities possess.

The last amendment proposes to abolish minimum penalties wherever provided for in the Act; and where the maximum penalty is under £20, to increase it to £20. Where a maximum penalty is already more than £20, the greater amount will continue to apply.

Changing money values warrant the proposed increase in the maximum penalties, and the removal of minimum penalties is in accord with action taken in other statutes. I move—

That the Bill be now read a second time.

On motion by Hon. G. C. MacKinnon, debate adjourned.

BILL—NEWSPAPER LIBEL AND REGISTRATION ACT AMENDMENT.

Second Reading.

HON. SIR CHARLES LATHAM (Central) [5.36] in moving the second reading said: This measure seeks to bring up to date some of the old legislation which gave newspapers in this State special privileges. Apparently until 1839 this State was controlled by the military authorities; but in that year it seems that some courts of justice were introduced and the laws of England were adopted by the State. These continued in force until the first piece of legislation was introduced in 1844. By that year, evidently, "The West Australian" newspaper had come into existence.

I cannot find any reference to "The West Australian" in the Hansards of that year, but legislation was introduced to protect the Press of that time against any action that might be taken for libel. It is interesting to read the Hansard reports of that day; and if members can conjure up the primitive methods that then obtained, they will be able to appreciate what the position was. There has been no attempt since 1888 to amend this Act; but in the Criminal Code, Chapter 35, under the heading of "Defamation" I think there is sufficient power to deal with most cases. However, while there is a special Act of Parliament dealing with the Press, I suggest that it would be used, although it is of a much earlier date.

This measure seeks to take away some of the powers which to my mind would cause a great deal of expense to a person desiring to take action against the Press —an expense far greater than would be involved under the Criminal Code. The Act of 1884 had two purposes—firstly, to deal with newspaper libels; and secondly, to deal with the registration of newspapers. That Act contains some very good provisions, together with some that I seek to have deleted. Section 9 of the 1884 Act provided—

> It shall be the duty of the printers and publishers for the time being of every newspaper to make or cause to be made to the registry office on or before the 14th day of January, 1885, and thereafter annually in the month of January in every year, a return of the following particulars, according to the Schedule hereto annexed, that is to say—
>
> (a) the title of a newspaper;
>
> (b) the names of all the proprietors of such newspaper, together with their respective occupations, places of business (if any), and place of residence.

I do not know whether that would include the shareholders, who I presume would be part owners; and I have not been able to obtain any clear information as to how it would apply to a company. In order to do away with that obsolete wording, the measure seeks to delete from Section 9 the words "on or before the 14th day of January, 1885, and thereafter." The section would then read—

> It shall be the duty of the printers and publishers for the time being of every newspaper to make or cause to be made to the registry office annually in the month of January in every year, a return . . . . .

and so on.

The second amendment that the measure seeks relates to the Act of 1888. Apparently it was felt in that year that the Press was not given sufficient protection, and so Sections 4, 5 and 6 of the legislation were amended. Section 5 of the original Act read—

> If a court of summary jurisdiction, upon the hearing of a charge against a proprietor, or publisher, editor, or any person responsible for the publication of a newspaper, for a libel published therein, is of opinion that, though the person charged is shown to have been guilty, the libel was of a trivial character, and that the offence may be adequately punished by virtue of the powers of this section, the court shall cause the charge to be reduced into writing and read to the person charged, and then address a question to him to the following effect: "Do you desire to be tried by a jury, or do you consent to the case being dealt with summarily?", and if such person assents to the case being dealt with summarily, the court may summarily convict him and adjudge him to pay a fine not exceeding Fifty pounds.

That was thought to be an unfair method and it was amended in 1888, when provision was made that there should be security for costs, and that the plaintiff had to give evidence on his own behalf. As a matter of fact, instead of the editor of the newspaper being on trial, the person making a complaint had to state his case and be cross-examined by the defendant's lawyers. He had to put forward his own case, as it could not be stated for him by a solicitor. If he refused to do so, that was the end of the case, and that provision remained.

I believe it is about time that the whole question of the responsibilty of newspapers for libel should be brought up to date; and I think that it should be dealt with under the Criminal Code, as other actions for libel are.

Hon. E. M. Heenan: Are you contemplating taking action, personally?

Hon. Sir CHARLES LATHAM: Not at the moment. I am afraid I have not sufficient funds to conduct such an action against "The West Australian" under that law. But this Bill gives me an opportunity to express my views on the conduct of certain newspapers today. On Wednesday, Thursday and Friday of last week, the "Daily News" published articles on a murder that took place at York, and I cannot understand the object of a paper in reviving such unfortunate happenings. Was it done to educate the public or to advertise the town? Was it for the purpose of seeing whether something could be done to prevent such happenings? The cases were tried in the proper way and those concerned were duly punished; and to revive such happenings in the Press is, to my mind, a disgrace to journalism.

I have wondered whether that journal will next deal with the unfortunate happenings recently at Wagin. It is about time the Press was reminded of its responsibility to supply the public with news in a proper way. The manner in which matter is put before the public at the present time is often disconcerting, and I blame the Press to some extent for a lot of the juvenile delinquency of the past few years. I do not know whether it is due to the life they lead or to the lack of parental control, but there is an ever so much greater number of juvenile offenders in proportion to the population now than there was when most members here were young. I think some of the trouble is due to the fact that the Press often tends to glorify acts of delinquency.

This legislation was passed by this Chamber in 1884 and has not been before Parliament since, so I think it would be only fitting that this Chamber should now correct some of the mistakes made by it in the past. I do not want to weary the House by reading them, but members would find very interesting the reports of the Parliamentary Proceedings as printed in the Hansards of 1884 and 1888. In those reports the names of Sir Winthrop Hackett—who was one of the leaders of Western Australia at the time—Sir John Forrest, and others are mentioned. They were some of the prominent people in this State in those days. In the Legislative Council at that time there were 13 or 14 members, and always there were five members in opposition to the others.

So it can be seen that although the Legislative Council was only a small House in those years it did have an Opposition and in that instance the opposition seemed to be right. I am merely submitting this information to the House in the hope that members might care to look at the report of the proceedings in those years, from an historical point of view. However, I think it is about time Parliament brought these Acts up to date and also brought newspapers under greater control.

Most of the newspapers I knew of in years gone by have ceased publication. Those newspapers that are in circulation today, however, should try to build up the character of the people rather than assist in bringing about its deterioration. I move—

That the Bill be now read a second time.

On motion by Hon. C. H. Simpson, debate adjourned.

BILL—LOCAL GOVERNMENT.

In Committee.

Resumed from the 7th August. Hon. W. R. Hall in the Chair; Hon. J. D. Teahan in charge of the Bill.

Clause 42—Eligibility for registration as an elector (partly considered):

Hon. Sir CHARLES LATHAM: I move an amendment—

That paragraph (c) in lines 22 to 24, page 50, be struck out with a view to inserting the following in lieu:—

(c) he is on the first day of January in any year the owner or occupier of land liable to be rated and situated within the municipality: Provided that where the husband is the owner of such land the wife of such husband if living on the land shall be registered as the occupier, and where the wife is the owner of such land her husband if living on the land shall be entitled to be registered as the occupier.

I cannot see why a person who is enrolled and who owns a property in any district should not be permitted to vote. The residential qualification for State elections is three months, I think; so why should we extend the residential qualification under this clause to six months?

Hon. J. D. TEAHAN: From the earliest days of the histories of municipalities and road boards, the land-owner was always regarded as being the most important person in the district. However, we have made considerable progress since those days; and today there can be many residents in a municipality who are as important as or who may be even more important than a property-owner. It is possible for a person to own a humble cottage and pay rates to the extent of only £2 or £3 per annum and have a vote at the local authority elections. Yet another person could be a contractor owning a fleet of vehicles and paying a substantial amount in revenue to the local authority; and, because he is not a property-owner, he is denied a voice on the elections.

Hon. Sir Charles Latham: Couldn't he be an occupier?

Hon. J. D. TEAHAN: Yes; he may be a lodger or the son of an occupier. I consider that the Committee should insist on the clause as printed being retained. If an examination of the rate books of a local authority were made, it would be found that in most cases the revenue obtained from motor-vehicle registrations is much greater than that received from rates.

Hon. Sir CHARLES LATHAM: What Mr. Teahan is trying to convey is that this is the clause dealing with adult franchise. Under it, anyone over 21 years of age is to have a vote at local authority elections regardless of whether such person is a ratepayer or not. I am one of those who are opposed to that principle. I cannot imagine a cartage contractor who is in a big way in any district not being the owner of property. I hope the Committee will agree to the amendment.

Hon. R. C. MATTISKE: The whole purpose of this legislation is to provide the machinery, as it were, with which local authorities work. In broad terms, local authorities constitute congregations of people who appoint some of their number to be the working party and to perform those duties necessary for the proper conduct of the affairs of the district concerned. Those people provide the money for the development of the area, and they provide the land. Therefore, I maintain that they should have the right to say who is going to represent them on their working party or council in the municipality.

From Mrs. Hutchison in the past we have often heard the reference to a "brutal majority." On this occasion, therefore, I would like to throw her words back to her. I have not heard of one local authority in this State that is in favour of adult franchise, but I have heard from dozens of local authorities who are strongly opposed to the principle. I have also heard from a number of persons closely associated with local government who are opposed to adult franchise. Mr. Teahan is in an unfortunate position. He is trying to convince the Committee that adult franchise is desirable for local government elections. However, I venture to say that the local authority with which he is associated is strongly opposed to it.

Hon. Sir Charles Latham: He is not associated with it so closely now.

Hon. R. C. MATTISKE: I think the Committee should take notice of what the local authorities say on the matter, and should not use its brutal majority in trying to force its will on to the people of Western Australia by agreeing to this clause. I hope the Committee will agree to the amendment because it is very reasonable and it is something that the people of this State want.

Hon. R. F. HUTCHISON: I have been provided with ammunition in the reference to a brutal majority. The brutal majority is not contained in this clause, but exists in this House. I oppose the amendment because I sincerely believe that every person over 21 years of age should be on the local government roll. The reason for the franchise being restricted to the persons at present entitled to vote is that local government has been controlled by out-moded laws which still exist. Those laws constitute a brutal majority. Local government franchise has always been as restricted as it was possible to make it.

Hon. C. H. Simpson: Who says that those laws are out-moded?

Hon. R. F. HUTCHISON: Only ratepayers are entitled to vote. I would like to give some information to support my contention that the ratepayers of a local authority contribute a minor portion of the cost of the upkeep of the district. I have figures of several local authorities, and this information will surprise some members. In the Bayswater Road Board in my constituency the total revenue was £101,947. Out of that, slightly over £50,000 was contributed by the ratepayers for rates. The balance of that revenue came from traffic licences, amounting to nearly £15,000, paid by all the residents in the district who possessed motor-vehicles; from Government grants amounting to nearly £20,000; from health and sanitary rates amounting to £8,691; from all other revenue just over £3,000; and from licences nearly £1,500. The figures for the Belmont Park Road Board showed that the rates amounted to less than 50 per cent. of the revenue.

Hon. R. C. Mattiske: What about land rates?

Hon. R. F. HUTCHISON: I am now referring to the amount contributed by the people living in the area of that road board. The total revenue was £78,330. Of that, the rates amounted to £35,740. In respect of the Bassendean Road Board, the total income was £38,452; and all types of rates amounted to £16,944. We can see how ridiculous the position becomes when it is dragged into the light of day. The total revenue of the Midland Junction Municipality was £58,000, but rates of all types amounted to only £23,421. The figures for all the local authorities I mentioned show that the total rates amounted to £127,777; but the other charges collected amounted to more than that—to £148,952.

That explodes the myth that the ratepayers only should have the right to determine how the people in the district shall be governed, or how they shall live, because every person over 21 years of age is affected in his daily life by local government, which is politics on the kitchen doorstep and which affects the womenfolk more than any others. The womenfolk should have some say as to how they shall live and how they shall be governed. Members will realise that every person in a highly organised society has to pay towards the upkeep of the district in which he lives.

Another point which has not been brought into this debate—and it is a very important one—is that most of the people who carry out the social service work in a district, and who develop the district to make life in it worth while are in the majority of cases non-ratepayers. I cannot work out the exact percentage; but the womenfolk doing this work, who are disfranchised in the voting for this House and for local government authorities, outnumber the others. The position of women is outweighed all the time, and it is about time that someone did have a complex about their position. I consider that adult franchise is necessary for a good democracy. We have not as yet seen democracy at work in this State.

The CHAIRMAN: I would ask the hon. member to confine her remarks to the amendment before the Chair, and to examine it. We are dealing with an amendment to the clause.

Hon. R. F. HUTCHISON: With all due respect, I maintain that the whole outlook to this amendment is the manner in which people are allowed to vote and how they shall live under a local authority. The other amendment deals with the compilation of the electoral roll. If my remarks do not relate to such franchise, I do not know what they refer to.

The CHAIRMAN: The hon. member has been slightly off the mark. I shall let her remarks go, but I want to point out that we will be wandering for a long time if some action is not taken to prevent members going off the beam.

Hon. R. F. HUTCHISON: If your ruling is right I can only speak to the compiling of the electoral roll. But I am talking about that.

The CHAIRMAN: The hon. member was talking about rates.

Hon. R. F. HUTCHISON: Are we not dealing with Clause 42?

The CHAIRMAN: We are dealing with an amendment to Clause 42.

Hon. R. F. HUTCHISON: And I can only speak to that amendment?

The CHAIRMAN: Yes; the one now before the Chair.

Hon. R. F. HUTCHISON. I shall save the rest of what I want to say when the amendment has been dealt with.

The CHAIRMAN: The hon. member has the right to say what she wants to during the debate; but now she is departing from the amendment too far.

Hon. R. F. HUTCHISON: I was giving my reasons as to why adult franchise should be enforced. The present franchise in local government is all wrong. All that a local authority has to comply with is to post the roll outside its office door for a few days. All those who want to be on the roll have to apply. Is there anything more dreadful than that? In my opinion there is not. It is about time we fell into line with the practice adopted in England, where adult franchise has been in existence for years. In that country a businessman can have a vote in a district where his business is situated, and not where he may own a block of land. The whole impact of his right to vote under local government refers to the situation of his business. I contend that is fair and just.

Hon. R. C. Mattiske: Do you mean to say that the only method of getting on the roll is by seeing the roll outside the road board office and applying to be included in it?

Hon. R. F. HUTCHISON: Thousands of people in this State do not know how they can get on the roll. When something happens to stir them, they find how little say they have in the affairs of the local authority. With all the camouflage used outside and inside this Chamber in regard to local government, and about bringing politics into the matter, I say that members have been unrealistic and not honest about the position.

Hon. Sir Charles Latham: I object to the words "not honest."

Hon. R. F. HUTCHISON: Local government has become politics on the back-door steps. If adult franchise is required in any sphere, it is in local government. If the people realised how they are held up by a privileged few they would wake up and see that something was done about the matter. It is only by our speaking here and outside that the people can be awakened.

The provision in this clause is a democratic approach to local government. The existing franchise should be widened. I have here a letter which concerns the amendment before us. It is from a resident of Merredin. He had sent it to "The West Australian" for publication. He sent a copy to me because he doubted if the letter would ever be published. It states—

> One would hardly expect such a phrase as "a hideous caricature" to be used by anyone who boasts a study of semantics, as a reasonable description of the adult franchise provision in the Local Government Bill.
>
> One feels R. H. Gordon's effusion to be suspect, when this, and a general resort to emotionalism, is employed to defeat reasonable consideration of the subject.
>
> Mr. Gordon is clearly wrong when he imputes that the law of the land is designed to create a plutocracy in local government.
>
> The Road Districts Act is not designed to represent the ratepayer. It is designed to facilitate by democratic means every aspect of local development within the sphere of local administration. It does in its constitution limit representation on the local body to those ratepayers who make direct contributions to its revenues. It also gives the local body power to make by-laws which are to be observed by all in the local area. The by-laws do not extend their powers to ratepayers only.
>
> The only explanation for such colourfully mounted attacks as this one by R. H. Gordon, and the resistance being offered by local government associations, probably stem from the age-old denial of those who hold power, of any right to others to share that power. This constitutes a denial of democracy.
>
> On the point of the unfairness of this attitude let me instance a recent interesting development in local self government in my own district. When the people of Merredin made up their minds to have a swimming pool, the popular movement was led by two non-ratepayers; a school master and a bank manager. These two men largely inspired the raising of £15,000 in the district towards the project. And a large group of voteless non-ratepayers comprising the railway population of the town were responsible for about £3,000 of this amount.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. R. F. HUTCHISON: To continue with the letter I was reading prior to the tea suspension—

> Further, there are throughout the local areas of the State hundreds of non-ratepaying motor vehicle owners who contribute considerable sums towards local revenue. In many cases they contribute more per head than many ratepayers pay in rates.
>
> These people too would be denied any representation by Mr. Gordon, in local government.
>
> Your correspondent says that as at present constituted local authorities decide all questions on their merits, but I notice is careful to add "—whenever the board in question has any sense of responsibility." Arising out of my thirty years experience in local government I am able categorically to deny that all questions are decided upon their merits. And I am certain that decisions reached by a

board elected on an adult franchise basis would not be any less meritorious.

The growth of Western democracy has been marked since the earliest days of the Industrial Revolution by a widening of the franchise. I believe I am right in saying that amongst the Western democracies of the present day, the adult franchise is the rule in the local area. In Western Australia we should not attempt to put back the clock by stubborn adherence to out-moded principles.

I am surprised that women's organisations have not flung themselves wholeheartedly behind this proposal to introduce adult franchise into local government. So much of what lies in the hands of local authorities touches closely the welfare of the mother of the family and her children. Mr. Gordon would deny even the wives of ratepayers any say in the establishment of infant health centres; kindergartens, and the many etceteras of similar nature.

I read that letter to back up my argument because I want all ratepayers over the age of 21 years on the roll. I have previously quoted the figures in regard to the suburban roll, and I will go further and say that in some country districts the ratepayers' contribution is less than 30 per cent. The time has arrived for us to speak our minds, when debating adult franchise in this House, because it is a fundamental democratic right.

Every adult person should have a right to express his own idea on how to be governed. This right closely touches our lives and should be conceded by those who have the power to do so. People's minds have been conditioned down the ages by the so-called ruling classes, and the echo is in the form of the bicameral system we have here in many places. It is used in the Legislative Council of Western Australia, and is handed down to local government in the State.

I intend to speak here as my conscience dictates, and therefore I oppose the amendment. From the correspondence we have received from local authorities, it is obvious they would restrict the franchise still further; but I object to the throwing out of this clause, and hope it will be supported in this House. If it is defeated, I hope it will ring through the depth and breadth of Western Australia, and everybody will be wiser. I oppose the amendment.

Hon. A. F. GRIFFITH: It is very interesting to see the lady member of this House taking all the batting so far as the Government is concerned on this particular clause. She leads the attack and the Government stays quiet on the issue.

Hon. R. F. Hutchison: We can't all speak at once.

Hon. A. F. GRIFFITH: I understand Mr. Teahan's situation in this matter, and he is obliged to put this forward because it is Labour Party policy.

The Minister for Railways: Democratic policy.

Hon. A. F. GRIFFITH: Mrs. Hutchison says and all the documentary evidence shows that ratepayers are in the minority. Surely property ownership should be the qualification for enrolment!

Hon. R. F. Hutchison: Why?

Hon. A. F. GRIFFITH: I think there is a principle attached to it. She says a man who has a motorcar has some right in the land because he uses the road.

Hon. R. F. Hutchison: He is a human being and an individual.

The CHAIRMAN: Order! I will ask members to allow the hon. member who is on his feet to address the Chair without interruption.

Hon. A. F. GRIFFITH: What is the position when somebody's motorcar stands outside the precincts of Parliament House in the section marked "members" and is interfered with by another person? If somebody tampered with Mrs. Hutchison's motorcar she would report it to the police.

Hon. R. F. Hutchison: Where is the analogy?

Hon. A. F. GRIFFITH: It is interfering with a property right. However, in this case the hon. member suggests that people who have no property right should have a right in respect of the other man's property.

Hon. R. F. Hutchison: You do not think the man who pays rent has a right?

Hon. A. F. GRIFFITH: The hon. member can give her opinion afterwards. In the City of Perth we have a lot of warehouses and shops. Many people come into the city to do business, but there are relatively few residents. These particular owners would be disfranchised. It would give the person who lives in Perth without any property the right to say what is going to be done to the property of the man who was disfranchised. That is not a fair situation. When a local authority wants to raise a loan, it is obliged to advertise the loan and carry a referendum in connection with it.

It is also necessary for a majority of ratepayers to vote in favour of the loan in certain circumstances. However, we could have 49 out of every 100 owners saying they did not want the loan, and 51 out of every 100 non-ratepayers saying they were in favour of the loan.

Hon. R. F. Hutchison: That is the position in England and in London.

Hon. A. F. GRIFFITH: I would say there is no country in the world where the standard of local politics is lower, because politics is introduced on every street corner.

Hon. R. F. Hutchison: What rot!

Hon. A. F. GRIFFITH: The parties, particularly the Labour Party, endorse candidates for election in England.

Hon. R. F. Hutchison: What is wrong with that?

Hon. A. F. GRIFFITH: If I could interject on the hon. lady for a moment—

The CHAIRMAN: Order! I draw attention to Standing Orders No. 398 and No. 413. I do not want continual interruptions while a member is speaking. In the Committee stage any member can speak more than once. This gives members the right to speak on the amendment before the Chair.

Hon. A. F. GRIFFITH: In England politics are introduced far too much into local government. In Western Australia our local government system has for many years given satisfaction to the districts concerned. The members of local governments give their time freely and they do not receive much praise. The clause would reduce the present standards. Important questions could be decided by people who had no stake in regard to ownership.

We have already dealt with a clause concerning the question of the severance of a section of a road board or a district, or a combination of the two. We decided that if one-third of the members of a district desired that a referendum be carried, or if 50 ratepayers signed a petition, then a referendum would be taken. At that stage we did not contemplate anyone other than those who had a property right and interest in the district. We said, "Let us deal with the ratepayers." No one protested—neither Mrs. Hutchison nor anyone else.

I hope the amendment will be carried, purely on the ground that it is correct to give the people who have a stake in the country the right to say what will happen to their stake rather than to pass that right over to other people who may say, "We are going to do this with your property; our numbers are greater than yours."

Hon. L. C. DIVER: I trust the Committee will agree to the amendment. There is no part of the Bill that has created more comment throughout the country than this clause which deals with adult franchise. Almost without exception the local authorities have asked that their representatives insist on the amendment to the clause. If this is carried, the position will be that almost anyone worthy of being called a citizen can be enrolled in regard to local government.

Hon. J. D. Teahan: I cannot see that.

Hon. L. C. DIVER: I heard an interjection, and I am surprised at the quarter it comes from. No one knows more than the challenger to what extent we can use the avenues that will be open to register persons as electors for local government if they so desire. If they have their names on the roll, does it mean that they will register a vote on polling day? I claim it will not. What will be the next step? To bring in compulsory voting for these people.

Hon. R. F. Hutchison: Why not?

Hon. L. C. DIVER: This will make it really party-political. I agree that local government has to be political, but not party-political. One thing we do not want is to have the party-political issue coming into local government.

Hon. G. E. JEFFERY: I support the clause and oppose the amendment. The property qualification for voting is one of the poorest that has ever been provided. In England it dates back to the days of serfdom when the only people who had any education or substance were men of property. In its time it no doubt served its purpose. In those days there would be a low percentage of literacy, but today the average person of 21 years of age is capable of holding an intelligent opinion.

I do not think that the question of where the revenue comes from has a great deal of bearing on the argument of property qualification. We might as well plead that the man who pays the greatest amount of tax should have more votes than the man whose only stake in the country is four or five children.

There is no great crime attaching to a person having a say in the local government of the district where he resides. But even today we have absentee landlords and the only knowledge that they have of the affairs of the district is perhaps from the literature the various candidates forward them when elections are held, and then they cast a so-called intelligent vote in respect of people and territory they do not know.

I do not think this provision would mean there would be a great influx of voters to the poll, but the people should have that right. Someone mentioned the amount of revenue involved. I point out that in the war young people of 18 years of age were flying bombers over Germany that cost that much, and no one complained of their lack of responsibility. Many people at 18 years of age are just as responsible as their grandparents. Some of the most influential citizens in a district —school teachers and bank officers— do not own property in the area because they are subject to transfer. I support the clause. I have no more to fear from the person 21 years of age than the person who is 65. The person 21 years of age could be equally as mature as the older

person and in many cases he is more interested in what is going on around him.

Hon. H. K. WATSON: If ever an argument was submitted in support of the amendment it was the speech delivered by Mr. Jeffery. This is the Local Government Bill, which provides that the rates shall be collected on property. If we eliminated that provision and provided that the local authority rates must be collected not on the unimproved value or the annual value of land but by means of a poll tax of £1 or £5 per head of every resident in the district, I would support Mr. Jeffery's proposition. So long, however, as the rates are based on the land that is owned, the voting qualification should be confined to the same principle.

Hon. Sir Charles Latham: And the money has to be spent in the district.

Hon. J. MURRAY: I support the amendment, and I support the remarks just passed by Mr. Watson. But there is another aspect. We are dealing primarily with the Local Government Bill; but there is another Act which controls the elections of this Chamber, and it provides that as long as a person is on the local authority roll he is eligible to vote for the Legislative Council. Members should look at that aspect before they vote on the clause.

Hon. J. D. TEAHAN: One speaker wanted to know who pays the rates. Well, the rates are fixed according to the rent paid by the tenant.

Hon. H. K. Watson: The Bill does not provide for that.

Hon. J. D. TEAHAN: The implication is that only the property-owner pays the rates. When the valuator goes around he knocks at the door and says to the tenant, "What rent do you pay?" The reply is, "£4 a week." The valuator says, "We will take two-thirds of that as being the net rent." It is the same with a hotel or other big building. What makes it possible for the rates to be paid on them? It is possible because of the rent, and the big rent can be paid only because the owner has many customers. Therefore, finally the man at the counter is paying the rent and the rates. If there are no customers there is neither rent nor rates.

Hon. Sir Charles Latham: What about empty houses?

Hon. J. D. TEAHAN: The owner comes into it then. In the final analysis the tenant must pay for the unoccupied time also. If a hotel becomes unpopular, its rental drops and its rates are reduced, too. Heavy rates are collected from picture shows; and who views the pictures? The ordinary working man. So the working man pays the rates. Some member also said that local governing authorities' activities are spreading to include clinics and transport—and, in the case of a local authority in which I am interested, the supply of electric current. Who pays for the electric current? The home-dwellers.

I was connected with the Boulder municipality, and the proceeds from the supply of electric power were approximately £10,000 per annum. The municipality used that money for most of its work; and had there been no profits, there would have been no roads. The municipality of Kalgoorlie built a beautiful olympic pool from the money derived from the supply of electric power. Who provides those profits? The ordinary home-dwellers. They should be the ones to have a say in electing members to the municipality. Who pays for vehicle licences? The ordinary citizen. And today every second or third citizen owns a motorcar and pays vehicle licence fees. There is another source of local government revenue—the main roads grant.

Hon. Sir Charles Latham: That comes from the petrol tax.

Hon. J. D. TEAHAN: I admit that.

Hon. Sir Charles Latham: And who benefits from it? The man with the motorcar.

Hon. J. D. TEAHAN: I admit that; but I have given an outline of where the rates come from and who pays them. Some members have said that the rates come mainly from property-owners. They are only the agents, because the working men who are the occupiers of those homes pay those rates in the final analysis. Therefore the person renting the house should have a say in electing the members of the municipality.

The local governing authorities administer the football grounds, bowling greens and other sporting fields. A bowling club of which I have knowledge has 300 to 400 members. But the people who use the club pay revenue to the council. So why should they not have a say in electing its members? Those people should have the right to be put on the roll and say how the money that the local authority receives should be spent.

The question of politics in local government was also raised, I think by Mr. Diver. I remember about 20 years ago when a ratepayers' association was formed and one person went on a door-to-door canvass. He asked a certain businessman whether he would join the ratepayers' association, and said that the members of the miners' union were having too much to say. This other man replied that he had lived in a number of districts, and there was always some pressure group represented on the council.

Hon. L. C. Diver: But was it meant to be non-party?

Hon. J. D. TEAHAN: I think everybody should have a say, and then we would get the overall picture. I think a

wife should have a say, because at present she does not have much to say—not when it comes to local government affairs.

Hon. Sir Charles Latham: She gets some in this Chamber.

Hon. J. D. TEAHAN: I think we should stick to the clause as printed. It has been said that we are insisting on the clause because it is Labour policy. I could answer that by saying that perhaps it is not wanted because it is non-Labour policy not to have adult franchise.

Hon. L. C. Diver: What did the Royal Commission recommend?

Hon. J. D. TEAHAN: Nearly all speakers have said that all road boards are asking for the status quo. It has always been my experience that local governing authorities generally want to hold what they now have; they feel that the old order will do because they do not want to change. One can imagine a road board member saying, "I was elected on a restricted franchise and I expect to be re-elected on that franchise next year. So let us leave it as it stands." I hope that the clause will remain as printed.

Hon. L. A. LOGAN: At this stage it might be advisable for us to clean up the question of who pays the rates. Mr. Teahan said that in many local authority areas the rates equal only about half the amount collected, and Mrs. Hutchison made great play about the same question. But do not let us forget that in addition to the property-owner there is the occupier, and the occupier can go on the roll today.

Hon. G. E. Jeffery: What is the position of a ratepayer who does not pay his rates?

Hon. Sir Charles Latham: He can still vote.

Hon. L. A. LOGAN: Those same owners and occupiers who are paying 50 per cent. of the rates are also paying car licence fees, truck licence fees, health rates, general rates and so on. So we find that the majority of the revenue of a local authority is paid by owners and occupiers—I would say at least 75 to 80 per cent.

Hon. A. F. Griffith: No; that couldn't be right!

The Minister for Railways: Did you say the owner-occupier or the owner and occupier?

Hon. L. A. LOGAN: The owner and occupier. Many occupiers today are paying rates as well.

Hon. R. F. Hutchison: They are paying the rent.

Hon. L. A. LOGAN: The hon. member does not know anything about it. Many of them are paying rates, too; that is part of their agreement.

Hon. R. F. Hutchison: A very small majority would pay rates as well as rent.

Hon. L. A. LOGAN: I am making a very good speech!

The CHAIRMAN: I ask the hon. member to address the Chair.

Hon. L. A. LOGAN: Surely those same owners and occupiers should have the right to say how the municipality's money should be spent. Would Mrs. Hutchison or Mr. Jeffery like somebody to dictate how they should spend their salaries? That is exactly what they want in this instance.

Hon. R. F. Hutchison: That is just rubbish.

Hon. L. A. LOGAN: They want somebody without any obligations to have the right to spend somebody else's money. Mr. Teahan's argument about the ordinary working man going into a hotel, buying his beer and thus paying the rates, is hard to follow. If a man goes into a hotel he gets his money's worth.

Hon. G. Bennetts: Does he get his money's worth?

Hon. L. A. LOGAN: A lot of people who buy beer are those same owners and occupiers who pay for their electricity, health rates and so on. Who is paying the piper? The Chief Secretary and Mrs. Hutchison the other night said that the man who pays the piper should have the say.

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

Hon. L. A. LOGAN: The hon. member did.

Hon. R. F. Hutchison: I said no such thing!

Hon. L. A. LOGAN: It is only right that the owner and occupier should have the say as to who shall be elected to the local governing authority. In my opinion this amendment gives them that right.

The MINISTER FOR RAILWAYS: It is wrong to say that the Bill proposes to give people outside the right to vote for local authority elections, and the right to tell people inside how their money should be spent, because the portion that it is proposed to delete by means of this amendment says that a person is eligible to be registered on the electoral roll of the municipality if he is residing and has resided for at least the preceding six months in the district of the municipality. This restricts it to those living within the municipality, and they will have the right to say how the money shall be spent. The proposed amendment refers to the owner or occupier. It does not matter where he lives. He could live in Perth and be entitled to be enrolled. He could well be in the position of which the hon. member has complained.

Hon. L. A. Logan: You have got me wrong.

Hon. R. C. Mattiske: He still pays.

The MINISTER FOR RAILWAYS: The hon. member says that the owner or the occupier pays the rate; but there is no doubt that it is the tenant who pays the rate—the man who buys the produce off the property.

Hon. H. K. Watson: What about vacant land?

The MINISTER FOR RAILWAYS: What about the case of boarding-houses as it relates to lodgers and boarders? It is the policy of the Government that there should be adult franchise, not only for local authority elections but for all elections. It is based on a democratic principle of rule by the majority. That is Labour policy, and we are not ashamed of it. We propose to introduce that policy wherever we can.

Hon. Sir Charles Latham: Nobody is growling at that.

The MINISTER FOR RAILWAYS: Those who are opposed to that principle believe in a conservative and restrictive policy, and they are entitled to do so. This is where Labour becomes Liberal, and where it endeavours to liberalise the franchise.

Hon. A. F. Griffith: When you go up for pre-selection, who votes for you?

The MINISTER FOR RAILWAYS: Not a select few, but every worker who is affiliated with the A.L.P. and who lives in the Province.

The CHAIRMAN: I would ask the Minister to confine his remarks to the amendment, and suggest that he take no notice of interjections.

The MINISTER FOR RAILWAYS: If the hon. member would cease interjecting, it would be easier for me to do so. I would ask Sir Charles Latham to explain exactly what is intended by the amendment. Does he intend broadening the existing qualification or restricting it?

Hon. Sir Charles Latham: Broadening it.

The MINISTER FOR RAILWAYS: I would like the hon. member to explain how.

Hon. J. M. A. CUNNINGHAM: We all knew that this clause would engender a great deal of debate. We are also aware that its provisions are outside the recommendations of the Royal Commission. I would ask from where this demand springs? As so often happens, we hear impassioned speeches in support of a certain principle, but there are no letters or other expressions of opinion from the people who are supposed to have a sense of grievance.

Hon. R. F. Hutchison: I read two foolscap pages of opinions.

Hon. J. M. A. CUNNINGHAM: The man concerned is well known to me. I know that he is one of the best road board secretaries I have met, and he has done a wonderful job for his district in town. But he is also an outspoken and avowed socialist. Mr. Law, by whom this letter was written, expresses a personal opinion; and that is the only opinion we have heard expressed by these so-called aggrieved parties. On the other hand, I have here a sheaf of letters from really responsible people.

Hon. R. F. Hutchison: Oh, yes!

Hon. J. M. A. CUNNINGHAM: They are, and the letters they have written represent the views of organisations and not the views of individuals. Accordingly they represent the voice of a large number of people.

Hon. R. F. Hutchison: Of the Liberal Party.

Hon. J. M. A. CUNNINGHAM: Without exception they are all opposed to this contentious clause. Is it the intention of Mrs. Hutchison and her colleagues to force this right on people whether they want it or not? So much has been said about ratepayers. It is a term loosely used. A man does not have to own great acres of land in order to obtain a property franchise. He merely has to occupy premises. The downtrodden working man of whom we have heard so much has only to be living in a house to get his vote.

Hon. J. D. Teahan: If there are three adults in a house only one gets the vote.

Hon. J. M. A. CUNNINGHAM: Four would get the vote.

Hon. E. M. Heenan: How is that?

Hon. J. M. A. CUNNINGHAM: There is the joint owner and his wife, and the ratepayer and occupier.

Hon. F. R. H. Lavery: You are only repeating what Sir Charles is telling you.

The CHAIRMAN: Order!

Hon. J. M. A. CUNNINGHAM: Mr. Teahan said a great deal about the old order changing. But what is wrong with the old order, particularly if it has proved itself?

Hon. R. F. Hutchison: Proved what?

Hon. J. M. A. CUNNINGHAM: Local government development has continued. There has been no riot and there have been no local wars. Roads have been built and people have worked all their lives in towns, and they have been happy in those towns. A great number of the people for whom our friends opposite are speaking are entitled to vote. If they are prepared to go to the trouble to do so, they are entitled to vote. Most of the people who live an itinerant life—bank managers, school teachers, etc—are very good citizens. Most bank managers are members of two or three committees.

The Minister for Railways: You are going to deny the right to the school teachers.

Hon. J. M. A. CUNNINGHAM: I would like the Minister to show me half a dozen of these itinerant types—such as bank managers and school teachers—who are incensed about being deprived of a vote in local government elections.

The Minister for Railways: You want to ask some of the D.C.A. men in Kalgoorlie.

Hon. J. M. A. CUNNINGHAM: I have never heard them mention it. In any case, they are generally there for two or three years and live in a house, and are thus able to have a vote. If one is living in a cottage worth only a couple of shillings a week in rent, he is an occupier and can have a vote.

Hon. R. F. Hutchison: One person can. If there were nine, the other eight could not have a vote.

Hon. J. M. A. CUNNINGHAM: If there were nine, I think that the health authorities would soon see that there were not so many.

Several members interjected.

The CHAIRMAN: Order! I will ask the hon. member to address the Chair and not encourage interjections.

Hon. J. M. A. CUNNINGHAM: If there were eight or nine in a house, they would probably belong to the one family. A great number of them would be under 21, and would not be entitled to a vote. If the whole nine were adults and entitled to votes, I would think that they would not be the type of citizens who would be very active in well-meaning organisations, and it would behove the local government to have a look at things; there would be something wrong. I do not feel my heart bleeding for this great mythical mass of people who are labouring under a great sense of injustice. That is so much poppycock; and I support the amendment.

Hon. G. BENNETTS: I did not want to enter into this argument; but having been a member of a local governing body for 18 years, I felt that I could not remain silent. A good deal has been said about youthful delinquency, and about the need to encourage young people to take part in constructive activities. I think that we should encourage young men over the age of 21 to take an interest in local government affairs and to stand for election as councillors or members of road boards. But here an attempt is being made to debar people from engaging in such activities. Women who live in rented cottages and who have to rear families and live within a budget are to be debarred from voting at municipal or road board elections. We have had the spectacle of young men who have been to war and have yet not been entitled to be enrolled. We should look at this matter fairly and squarely and give such people an opportunity to have a say in State affairs.

Hon. G. C. MacKINNON: There have been a few rather garbled lectures on economics on which I would like to comment. It has been asked who really pays the rates. The proper thing to do when that sort of discussion begins is to carry it to its logical conclusion. If we did that we would find that this country is virtually financed by our wool cheque and odd sundry exports; and as the wool comes from the sheep's back, the sheep—on the argument advanced—would be the only ones entitled to a vote.

Hon. J. D. Teahan: The wool has no value until the shearer gets to work on it, and removes it from the sheep's back.

Hon. G. C. MacKINNON: Other matters were brought into the argument such as the provision of electric light services. In any community one pays for certain personal services. If I go to a shop and ask for a haircut, I expect to pay for it. If I want electric light the same thing applies. Surely local government consists of a group of people owning property, and banded together, and electing someone to look after their interests. Probably the Minister for Railways hit the nail on the head when he said that this is a matter of policy.

Hon. F. R. H. Lavery: Of course it is! Who denies it?

Hon. G. C. MacKINNON: Of course! So we are all explaining our points of view.

Hon. F. J. S. Wise: And none has any influence on the others!

Hon. G. C. MacKINNON: Absolutely none, because this is a matter of policy.

Hon. F. R. H. Lavery: This is a non-party Chamber.

Hon. G. C. MacKINNON: It is a matter of outlook. We look at things differently. Some of us look at this matter from the point of view that the man who pays the rates should exercise the authority; and, to us, our outlook appears perfectly reasonable. There have been some wild statements from those who advocate a general franchise. It was said that members of a bowling club should have a vote.

I have been associated with bowling clubs where the secretary exercised his vote for the club. It has been mentioned that a lot of business people have not a vote. I have managed a business, and I have exercised a vote for that business; and I know certain bank managers who have had votes in respect of their business. Mr. Teahan said that a bowling club should have a vote. I know for a fact that that has been the case.

Hon. J. D. Teahan: I said that those adults who play the game should have a voice.

Hon. G. C. MacKINNON: Probably 80 per cent. of them do. They probably live in a house and own a property. But the honest man was the Minister for Railways, who said that this was a matter of policy; a matter of the point of view. It is the point of view of those who agree with me that it is absolutely fundamental, just and fair that he who pays should have the rights. The opposition point of view is that any man who lives in a district, whether he pays 2d. or not, should have those rights. Those of my point of view feel that there is some difference between local government and State and Commonwealth government. We have agreed long since that there should be a wider franchise for parilamentary government. But the property franchise is the absolute basis of local government.

Hon. A. F. GRIFFITH: The general public have had knowledge of this Bill for nearly two years. During that time I have not received one single letter from one single person urging me to vote for adult franchise in local government.

Hon. F. R. H. Lavery: I have had one.

Hon. A. F. GRIFFITH: There is a supporter of the Government who says he has had one!

Hon. R. F. Hutchison: I read one; I have others.

Hon. A. F. GRIFFITH: Surely the logical conclusion to draw is that at least members of the Labour Party would have received letters; but, in the main, they confess that they have not had them. At the moment, my bag is practically full of letters I have received in connection with another matter which is a pretty moot point at the moment, and of great interest to the community.

Hon. F. R. H. Lavery: Not the King's Park Bowling Club?

Hon. A. F. GRIFFITH: No.

Hon. F. R. H. Lavery: I mean, the swimming pool.

Hon. A. F. GRIFFITH: Local authorities in the province of which I am a member are of mixed political colours. There are people who are supporters of the L.C.L. and there are supporters of the Labour Party. Yet from many of them I have had letters which asked me, as their member, to vote against any alteration of the franchise for local government.

Hon. R. F. Hutchison: I don't care what you've got! You never got it from a Labour man.

The CHAIRMAN: Order!

Hon. A. F. GRIFFITH: That is the position. I thought it might hurt a little to hear me say that, but it does not alter the truth of what I have to say. I have one in front of me—from the City of Perth.

Hon. R. F. Hutchison: That is not from a Labour man.

Hon. A. F. GRIFFITH: Did I say it was?

Hon. R. F. Hutchison: Yes.

Hon. A. F. GRIFFITH: I said there were local authorities in my electorate no doubt composed of members of varied political thought who collectively have sent me letters asking me to try to have the adult franchise clause taken out of the Local Government Bill. I did not ask to what party they belonged. We find the Government in one direction saying, "We want adult franchise for local government." Then we find that a man who will not join a union gets the sack. He does not have the right to work, because he is not a member of the union. Does that tie up? When it is a question of the right to work, if a man is not a member of a union the Government says, "No" and there is no equity in that.

I will refer now to one of the hottest subjects of discussion on record, which is current at the moment and in regard to which my bag is full of letters. We want one section of the community to do something in a certain reserve, and we are told it will involve the expenditure of £250,000. If we agree to paragraphs (a) (b) and (c), to whom do we go—in the case of a referendum being successful—to borrow the sum I have mentioned? To all the people over 21 years of age? But upon whom would the burden of interest and repayment be placed? On the people who would be disfranchised by those paragraphs.

Mr. X owns a building in a Perth street and another one elsewhere in the district. Should he not have a say whether the City of Perth is to be involved in an expenditure of £250,000? The Government says, "No," and that we should let everyone decide what is to be done with the other fellow's money.

Hon. R. F. Hutchison: They would all carry the burden.

Hon. A. F. GRIFFITH: Mr. Teahan gave what he thought was a reasoned argument in regard to the man who buys a pot of beer. But apparently he has not heard of a trade cycle. He forgets the man who provides the capital to erect the brewery.

Hon. J. D. Teahan: He is only an agent.

Hon. A. F. GRIFFITH: If someone had not provided the capital to build a butcher's shop in my area, there would be no local butcher. The person providing the capital obviously should have a say in the running of the district. I think that what the Bill seeks here is wrong. Surely it is equitable that the man with a stake in the district should have a say in its affairs rather than the one who has no such stake!

Hon. A. R. JONES: I think we all have open minds on the subject and I believe only the bells will bring about a decision. I move—

That the question be now put.

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

Ayes	11
Noes	14
Majority against	5

Ayes.

Hon. N. E. Baxter	Hon. C. H. Simpson
Hon. L. C. Diver	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. Sir Chas. Lathan.	Hon. F. D. Willmott
Hon. R. C. Mattiske	Hon. J. Cunningham
Hon. J. Murray	*(Teller.)*

Noes.

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

Motion thus negatived.

Hon. N. E. BAXTER: I think that Sir Charles Latham, in moving his amendment, has been particularly generous, as supporters of the Government would realise if they read the amendment, and particularly in regard to the Road Districts Act, where the franchise would be considerably broadened. The amendment would give the occupier or rent payer of any property a vote which he did not have before, and the same would apply to the wife or husband of any owner of property. Surely, as I said during the debate on the second reading, the patients or staff at the Wooroloo Sanatorium, who are there for well over six months of the year, but who have no stake or interest in the district, should not have a vote! It is not right that they should be able to outvote residents of that area—as they could—by three or four to one. If that were allowed we might as well let the Japanese into Australia—

The Minister for Railways: Surely you do not compare the inmates and staff of Wooroloo with the Japanese!

Hon. N. E. BAXTER: They have no stake in the district, yet they would be given the power to elect the representative of that district. I do not think the Minister holds that view.

The Minister for Railways: I do.

Hon. N. E. BAXTER: I cannot understand the Minister's reasoning that a group of outsiders should be able to control the affairs of a district. How would the Minister like an influx of Liberal or Country Party members into his province for a period so that they could outvote his supporters? It is ridiculous.

The Minister for Railways: Would you deny the staff at Wooroloo a vote?

Hon. N. E. BAXTER: Certain of them would have a vote, but the ordinary staff have no stake or interest in the district. I do not think that this Chamber would have made so generous a gesture as this a few years ago.

Hon. E. M. HEENAN: During the debate it has been said that a policy or principle is involved, but it appears that there is a great divergence of opinion on this subject of adult franchise. I see no fundamental argument against Mr. Teahan's proposal. Mr. Cunningham and one or two other members would have us accept the view that because people living in towns or cities do not write to us and make a clamour we should ignore their fundamental rights. Mr. Cunningham said, "Nobody has been breaking out in a riot; there have been no wars." That sort of argument does not get us anywhere. If people have fundamental rights it is our duty to safeguard them. As Mr. Teahan has said, we have to realise that our mode of life has changed considerably in the past 50 years. We are becoming more and more one community. It cannot be said that, on the one side, property-owners are distinct from those on the other side who do not own property. The interests of both parties are interwoven and they are interdependent one with the other. A business man pays his rates simply because he is assisted to do so by other people in the community. I cannot see the reason for the fear of adult people having the right to vote. People live happily together by fulfilling their various avocations and they make up what we call a community.

If the principle of giving a vote to everyone over the age of 21 years is adopted, no harm will result. Mr. Cunningham will deny some sections of the community that right simply because they do not create a fuss and raise a riot about it. Another misleading statement he made is that for one property four people are entitled to a vote. When I challenged him on how that could be done he could not explain. The fact is that such is not the case. Under the Municipal Corporations Act every person who is not under the age of 21 and who is a natural born or a naturalised British subject is entitled to become an elector on the electoral roll of the municipal district in which he resides provided that the owner and occupier shall not be separately registered as electors in respect to the same ratable land.

Hon. Sir Charles Latham: That is the law as it stands today.

Hon. E. M. HEENAN: Yes.

Hon. Sir Charles Latham: And we propose to alter it.

Hon. E. M. HEENAN: There is also a proviso to that section in the Municipal Corporations Act.

Hon. J. M. A. Cunningham: I apologise. I was thinking of the Legislative Council.

Hon. E. M. HEENAN: I am not going to say that two or more could not be enrolled for one property. But if I own a house in Boulder, the person who is the occupier has the right to be enrolled, and I am not entitled to a vote. I cannot appreciate the strong opposition that is being offered to this clause. Sir Charles proposes to substitute a provision that will enable the owner, no matter where he lives, to be enrolled as a matter of course.

At present a person who owns a house in Boulder or Norseman, but who is living in Perth, cannot be enrolled if the occupier of the premises claims the vote. So at present that absentee owner is disqualified from voting. If the amendment is passed, the owner and the occupier can both be enrolled. Also, if a man owns a house both he and his wife can be enrolled. If the wife owns the house, she is enrolled as the owner and the husband is enrolled as the occupier. That would be the effect of the amendment. It would broaden the provisions in a worthwhile manner, and I must admit it is a step in the right direction. But it falls considerably short of the goal aimed at in the Bill, against which I do not think there is any irrefutable argument.

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

Ayes	14
Noes	11
Majority for	3

Ayes.

Hon. N. E. Baxter	Hon. G. MacKinnon
Hon. J. Cunningham	Hon. R. C. Mattiske
Hon. L. C. Diver	Hon. J. Murray
Hon. A. F. Griffith	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. C. H. Simpson *(Teller.)*

Noes.

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

Pair.

Aye.	No.
Hon. H. L. Roche	Hon. G. Fraser

Amendment (to strike out words) thus passed.

The CHAIRMAN: The question now is that the words proposed to be substituted shall be substituted.

The MINISTER FOR RAILWAYS: I want to make one comment on paragraph (c) proposed to be inserted. We have heard a little from Mr. Cunningham about compulsion in these matters, yet the paragraph states—

> where the husband is the owner of such land the wife of such husband if living on the land shall be registered as the occupier.

I want to emphasise the words "shall be registered."

Hon. H. K. WATSON: I notice that the words "entitled to be registered" appear further on in paragraph (c); and to be consistent, the same words should be used in line 7 after the word "be."

Hon. Sir CHARLES LATHAM: I intended doing that. I move an amendment—

> That the following be inserted in lieu of the paragraph struck out:—
>
> (c) he is on the first day of January in any year the owner or occupier of land liable to be rated and situated within the municipality: Provided that where the husband is the owner of such land the wife of such husband if living on the land shall be entitled to be registered as the occupier, and where the wife is the owner of such land her husband if living on the land shall be entitled to be registered as the occupier.

Amendment put and passed.

Hon. Sir CHARLES LATHAM: I move an amendment—

> That the words "he is residing, if he has resided for at least the preceding six months in the part of the district constituting the ward" in lines 29 to 31, page 50, be struck out, and the words "such land is situated" inserted in lieu.

Amendment put and passed.

Hon. Sir CHARLES LATHAM: I move an amendment—

> That the following proviso be inserted at the end of Subclause (2) on page 50:—
>
> Provided that where any land is owned or occupied as one holding and is situated partly in one ward and partly in another the whole of the land shall be deemed to be situated in the ward chosen by the owner or if the owner fails or neglects to make a choice then as chosen by the occupier or if no such choice is made as determined by the council.

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

Clause 43—Electoral lists:

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

That Subclause (3) in lines 24 to 30, page 51, be struck out.

This amendment is consequential to what has already been deleted from the Bill. Furthermore, the subclause gives a discretion to the clerk of the council to include in the rolls names which he deems fit to be included. Members will doubtless agree that any person desiring to be placed on the roll must first qualify to become an elector.

Hon. J. D. TEAHAN: This amendment upsets an arrangement which has existed and operated satisfactorily for many years —that is, for the clerk of the local authority to list the names he considers should be on the roll.

Hon. H. K. Watson: Is that in the existing Act?

Hon. J. D. TEAHAN: The local governing body with which I was connected adopted that practice every year. I know of no occasion when this procedure was challenged, although I am aware that on four occasions some other party, claiming the right to be on the roll, appealed to the council. On each occasion the council granted the appeal. That right exists all the time. The amendment seeks to delete the provision which authorises the clerk to list in the electoral roll the names of persons who have satisfied him that they are so entitled. The effect of the amendment is that more claims and objections would have to be dealt with by the council itself, whereas the provision in the Bill was aimed at reducing the work of the council and providing for a right of appeal to the council against the decision of the clerk. It is considered that the provisions in the Bill are desirable, and the amendment is therefore undesirable.

There is more in the amendment than I have outlined. It will necessitate a person having to go on the roll each year between the period from the 15th December to the 15th January. This is not a very long period and extends over Christmas, so very few people would be listed. Clerks of local authorities work with honesty and we can expect them to enrol only those who should be enrolled. I see no harm in the existing arrangement. There is no challenge to it. It has made the work of the council easier. It also allows for the right of appeal. This amendment will mean a much more restricted roll.

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

Ayes	14
Noes	11
Majority for	3

Ayes.

Hon. N. E. Baxter	Hon. R. C. Mattiske
Hon. J. Cunningham	Hon. J. Murray
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. A. R. Jones	Hon. J. M. Thomson
Hon. Sir Chas. Latham	Hon. H. K. Watson
Hon. L. A. Logan	Hon. F. D. Willmott
Hon. G. MacKinnon	Hon. A. F. Griffith *(Teller.)*

Noes.

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

Pair.

Aye.	No.
Hon. H. L. Roche	Hon. G. Fraser

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

Clauses 44 to 61—agreed to.

Clause 62—Minister may direct compilation of fresh rolls in certain cases:

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

That the word "persons" in line 37, page 59, be struck out and the words, "members of the council," inserted in lieu.

Hon. J. D. TEAHAN: This clause provides for a case where some irregularity has been found in a roll. As the clause is printed, it provides that the Minister will nominate three persons to constitute an appeal court. The Minister may nominate three councillors; it does not say he shall do so. The effect of the amendment will be that three councillors or three road board members shall constitute the appeal court. It is possible that the irregularity has been caused through the action of some road board or council and the appeal would amount to nothing else but one from Caesar to Caesar.

Hon. A. F. Griffith: Could you give a case where a road board or council permitted an irregularity?

Hon. J. D. TEAHAN: I am not going to suggest anyone, but it could be caused through some carelessness. There should be some faith in the Minister in this regard because, in probably nine or 10 cases out of 10, the irregularity would be caused by a town clerk or an officer of the council or road board concerned.

Hon. L. C. DIVER: Surely the council should constitute the appeal court because, even in an extraordinary set of circumstances as elaborated by Mr. Teahan, it would still be the council that would have to carry on the functions of local government. Therefore, why not make certain that members of the council constitute the court.

The MINISTER FOR RAILWAYS: A position could arise where there was no council as there have been cases where a council has resigned in a body. If they

resign over some disagreement in connection with the rolls, how could we have a revision if the court were confined to three councillors ?

Hon. L. C. Diver: Would not a commissioner have power to compile a roll?

The MINISTER FOR RAILWAYS: It could be that there are not three councillors available and I suggest it be left to the discretion of the Minister who, after all, is in a responsible position and would see that the persons appointed would be capable of doing the job.

Hon. Sir CHARLES LATHAM: This is only an ordinary revision that takes place every year. It takes place in all municipalities and road districts and they strike off the names of people who are not entitled to be on the roll.

Hon. J. D. Teahan: No, this clause is to meet the odd case.

Hon. Sir CHARLES LATHAM: If a Minister orders it, I do not see why he should not choose council members. No doubt the Minister for Works would send up an investigator, who would probably be an officer of his department—one of the auditors. He would not have any three local persons, if there were any doubt.

Hon. H. K. WATSON: The revision contemplated here is not the ordinary revision of the rolls because that is governed by Clause 46. This appears to be something exceptional and rather serious. I cannot visualise any case arising, such as is contemplated by Clause 62, Subsection (1), and would like Mr. Teahan to give us a concrete example if he could.

Hon. J. D. Teahan: The Bill is an exact copy of the Road Districts Act.

Hon. H. K. WATSON: Three persons are nominated by the Minister?

The Minister for Railways: Yes.

Hon. H. K. WATSON: I do not see, in the absence of an explanation, why it should not be confined to members of the council.

Hon. R. C. MATTISKE: Anything other than a normal irregularity, such as an incorrect entry on a roll, is catered for by Clause 65, which I think covers the particular point.

Hon. G. C. MacKINNON: I find the reason difficult to understand and would like Mr. Diver to explain how his amendment would operate in the event of an irregularity occurring in the Mandurah Road Board where there is a commissioner. How could we establish such a court?

Hon. Sir CHARLES LATHAM: I refer to Subclause (1). Personally, I do not care whether three outside persons are involved or three members of the council, but usually they are three council members.

Hon. L. C. DIVER: In reply to Mr. MacKinnon, this does not deal with the position of a commissioner but of a council.

Hon. H. K. WATSON: I know a marginal note does not form any part of an Act but the marginal note here is "procedure on failure of council to hold revision court." The suggestion is that if the council should hold a revision court and fails to do so, then the Minister steps in.

Hon. Sir Charles Latham: That is so.

Hon. H. K. WATSON: I cannot see that Subclause (2) says that.

Hon. Sir Charles Latham: No, but Subclause (1) does.

Hon. H. K. WATSON: It makes no reference to the council having failed to hold a revision court; and that is what one would expect to see if the marginal note to Subclause (2) were correct.

Hon. J. D. TEAHAN: The clause provides for exceptional cases. I cannot see where it does any harm. It is an exact copy of the Road Districts Act. I see every reason why it should stand.

The MINISTER FOR RAILWAYS: I draw attention to Subclause (1). This applies to the position where the council fails to carry out its duties. If we were to confine the appointment to three members of a council which had failed to see that these requirements were carried out, it would be farcical.

Amendment put and negatived.

Clause put and passed.

Clauses 63 to 66—agreed to.

Clause 67—Annual municipal elections:

Hon. A. F. GRIFFITH: The end of the financial year, as provided in the Bill, is the 30th June. Clause 67 refers to vacancies that occur on the third Saturday in each year. Is it a good idea to have an election roughly 2½ months prior to the end of the financial year; or is it better to have an election immediately after? I think it would probably be better to have the election after the end of the financial year.

Hon. J. D. TEAHAN: At present municipal elections are held in November, and the argument used against this is that the work involved at the close of the financial year is so great that it would interfere with the necessary work of preparing for an election. The arguments put forward in favour are that in April the officers involved are the least busy, and they could devote their time to the preparation of rolls and whatever else is necessary for the holding of an election. The general consensus of opinion is that the best results would

be obtained then when they are not in the hurly burly of preparing the many reports, statements and so on that are prepared at the end of the year.

Clause put and passed.

Clauses 68 to 70—agreed to.

Clause 71—When office of deputy-mayor and of deputy-president to be filled by election by council:

Hon. Sir CHARLES LATHAM: I move an amendment—

That the following be inserted to stand as Subclause (1):—

> The council of a municipality which is a shire shall at the first meeting of the council held after the third Saturday in April in each year and in the case of such a newly constituted municipality at the first meeting of the council held after the election of the council elect one of its councillors to the office of president.

Provision for the election of a mayor or president has evidently been omitted.

Hon. R. C. MATTISKE: I think the position is now covered by an amendment which I had made to Clause 10.

Hon. Sir Charles Latham: It may be; I am prepared to agree to that.

Hon. J. D. TEAHAN: It appears to be consequential on Clause 10, but we have reached the stage where I am not quite certain that it is consequential, and I would like to find out something more definite about it. I would like to report progress.

The CHAIRMAN: In that case I ask Sir Charles Latham to withdraw, temporarily, his amendment.

Hon. Sir CHARLES LATHAM: I ask permission to withdraw, temporarily, my amendment.

Amendment, by leave, withdrawn.

Progress reported.

House adjourned at 9.59 p.m.

Legislative Assembly

Tuesday, 13th August, 1957.

CONTENTS.

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

ASSENT TO BILL.

Message from the Lieut.-Governor and Administrator received and read notifying assent to the Supply Bill (No. 1), £21,000,000.