months, declaring it was impracticable. Their opposition only ended when I said to them, "Practicable or impracticable, we will try it; and until the system has been installed, I will prohibit you from operating." The system was installed, and it proved practical and remedial, and no more was heard about it. I do not want to say anything that will reflect upon the mine managers of this State, but I must express my view that in comparison with the South African mine managers they have shown an absolute indifference. We know that the defeats of our attempts to secure amendments of the Workers' Compensation Act, defeats in the Upper House, were due to the efforts of the Chamber of Mines. In view of our huge majority in this Chamber, the mine owners did not trouble about the measure here; but they took care to block it in another place. For weeks they had their representative in Perth, in touch with members in another place, and supplying those members with information in typewritten form. It may be that as servants of the companies the Chamber of Mines had to do their best for those whom they serve. Perhaps they were only doing their duty. But it was a cold-blooded attitude to take up. My endeavour will be to see that the Chamber of Mines' and the dividend-snatching companies are no longer allowed to have their way as regards casting on the scrap heap the men who have provided the gold and the dividends. The responsibility should be on the mine owners to see that those men do not die in poverty, and that provision is made for their dependants. There are very few members in another place who represent goldfields constituencies. Nevertheless, whenever a measure affecting the mining industry from the Chamber of Mines point of view is before that place, we see members there who represent pastoral and agricultural or city interests, rising to speak most learnedly on mining matters—men who have never seen the goldfields. It is true that they speak from typewritten information supplied to them by the Chamber of Mines. They speak on legislation which is supposed to hamper the gold mining industry. It is "the industry" all the time. I do not want to touch on matters of sentiment, but if an industry will not provide for those who are broken in its maintenance, it is time the industry died. If the Minister is prepared to accept what he regards as the consensus of opinion of the House, disclosed on the second reading, and if he is prepared to endeavour to improve the measure in Committee, I for my part shall vote for the second reading. But if the Bill is to go through in its present form, I shall have no hesitation whatever in voting against the second reading.

On motion by Mr. Mullany debate adjourned.

House adjourned at 10.25 p.m.

Legislative Council,

Thursday, 7th September, 1922.

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

ADDRESS-IN-REPLY—PRESENTATION.

The PRESIDENT [4.33]: I desire to state that this morning I delivered to His Excellency the Lieutenant Governor and Administrator, the Address-in-reply which was adopted last evening. I have His Excellency's reply, which he has been pleased to forward to us. It is as follows:—

> Government House, Perth, 7th September, 1922. Mr. President and Gentlemen of the Legislative Council, I thank you for your Address-in-reply to my Speech with which I opened Parliament and for your expression of loyalty to our Most Gracious Sovereign. R. F. McMillan, Lieut.-Governor and Administrator.

I may say I was accompanied by the Leader of the House, the proposer and seconder of the resolution, and we were received under the most favourable circumstances by the Administrator.

MOTION—WATER SUPPLY DEPARTMENT, BY-LAWS.

To Disallow.

Hon. A. LOVEKIN (Metropolitan) [4.34]: I move—

> That by-laws promulgated by the Metropolitan Waterworks and Sewerage Department, dated 24th March, 1922, and numbered 7, 43, 52, 69, 93, 100, 105, 125, 130, 131, 132 be and are hereby disallowed.

In days of old, Parliaments were very jealous of their rights in respect to the imposition of taxation. Recently we seem to have got into a new era, when people have become subject to taxation by means of regulations. Mr. Harris mentioned some instances yesterday and I propose to quote to the House some further cases this afternoon, in the hope that Parliament will discountenance this method of governing the people by regulations and taxing them by regulations. We have perhaps a unique opportunity to deal with the by-laws of the Metropolitan Water Supply Department at the present juncture because the old by-laws and regulations have been repealed and a new set, in an amended and consolidated form, has been placed upon the

Table of the House. As hon. members know, it is one of the privileges of this House, as well as of another place, to disallow any one or more of these regulations if we see fit to do so. I propose to ask the House to disallow some of them. I have no objection to portions of those regulations but there is no alternative other than to disallow the whole, leaving it to the department to put up new by-laws, minus the portions particularly objected to. I will commence with No. 7. It says—

> Closets or urinals already in existence shall, wherever considered necessary by the inspector, be removed where directed by the inspector, and such removal or re-erection shall be at the cost of the owner, who shall have the work completed within one calendar month from delivery by inspector of written notice to owner requiring this to be done.

We know that all inspectors are not overburdened with tact. Some are capricious and some are more or less spiteful. It seems wrong that we should have legislation on our statute-book which would enable any inspector to go to an owner, who has had certain conveniences existing for some time on his property, and order him to remove them, perhaps at great expense, without any appeal from the orders of that inspector. I suggest that the by-law should be amended by giving the owner, on whom notice has been served by an inspector, the right of appeal to the Minister, if he is not satisfied. I think that is fair. If we could amend it as I have indicated it would be satisfactory. We must preserve these catchment areas from pollution, but, as I cannot amend the by-law, I propose that it shall be disallowed. The department will then be able to substitute another. By-law No. 43 is the next one that I propose to ask the House to disallow. This by-law reads—

> No person shall do or cause to be done any work in connection with the water supply of any premises or in connection with any water supply, fitting, or apparatus connected therewith, unless he shall have been duly admitted by the Minister as a "licensed water supply and sanitary plumber" or as a "licensed water supply plumber."

This by-law goes a long way too far. It would prohibit anyone from putting a washer on a tap. It is all very well to say that the department would not take notice of such an action, but the right is there for them to prohibit such work. Suppose a pipe were to leak and the water was running away. The owner has to pay for that water. Under this by-law, however, the owner cannot get a pair of pipe tongs to screw up the pipe and stop the leak. He must send for a licensed plumber to do the work and that plumber can make him pay the prescribed rates and charges.

The PRESIDENT: What by-laws are you referring to? Are you referring to the town council by-laws or those of the Metropolitan Water Supply Department?

Hon. A. LOVEKIN: The Metropolitan Water Supply Department. I am referring to the new by-laws.

The Minister for Education: This particular one has been in operation for the last seven years.

Hon. A. LOVEKIN: I am coming to that point.

The PRESIDENT: That is what I wanted to find out. I was not quite clear whether these were recent by-laws or not.

Hon. A. LOVEKIN: These are the by-laws that were recently placed on the Table of the House. The Minister interjected that some portions of these regulations have been in operation for many years. That is so, but that is no reason why they should be regarded as sound. Here is the first opportunity we have of amending them. Some of them are objectionable and the people are complaining about them. We have not had an opportunity since the regulations were put on the Table years ago to deal with them, but they can be altered now as they have been placed upon the Table. It is no answer to what I am contending, to say that certain by-laws have been in existence for a number of years. The point is, are they reasonable. This particular by-law is to some extent in contravention of the Act which authorises certain things to be done.

The Minister for Education: Which section are you referring to?

Hon. A. LOVEKIN: Section 47 of the Metropolitan Water Supply Sewerage and Drainage Act. That section provides—

> Every person supplied with water under this Act shall keep the service or communication pipe and all prescribed fittings within or attached to his land in good repair, so as to effectually prevent the water from running to waste.

The section throws upon the person supplied with water, the onus of repairing the fault. The regulation then comes in and goes further than the Act by saying that whenever anything has to be done, the owner must employ a licensed plumber. Again, in Section 48 the Act does not contemplate a licensed plumber being engaged. It says that "no person shall connect a meter, pipe, or other fitting through which water is intended to be supplied or disconnect a meter, pipe or other fitting," and so on, unless he has given the prescribed notice to the Minister. There is nothing there about a licensed plumber coming in at all. Then Section 53 says that if any person supplied with water by the Minister, causes or suffers any pipe, etc., used in connection with water supplied to him by the Minister, to be out of repair, without repairing it within a reasonable time, he shall suffer certain penalties. It does not say he shall get a licensed plumber, but the regulation says he shall employ a licensed plumber.

Hon. H. Stewart: It practically says he shall be a licensed plumber.

Hon. A. LOVEKIN: Yes. Take a person living at Nedlands: a socket or something of the kind goes wrong with a pipe. The owner cannot touch it. He must allow the water to run to waste while he goes to Perth and gets a licensed plumber. The plumber must be taken to Nedlands to see what is wrong, go away again and get the necessary material to repair the damage. He cannot repair it forthwith because, if it happens to be a socket or elbow which is at fault, the plumber must procure one, take it to the department and get it stamped before he can return to Nedlands and put it in. Such taxation by regulation is being carried altogether too far. Regulation 52 does not affect the consumer, but it is arbitrary on the plumber. It reads—

> Any licensed water supply and sanitary plumber or water supply plumber offending against any by-law or regulation of the Minister, or who shall refuse to give any needful or proper information required by an officer of the Minister, either by himself or those employed by him, or who, within seven days from date tenders close, withdraws or varies any tender he may have lodged, or fails to complete any contract with the Minister or with a private owner within the time specified, shall be liable to a fine not exceeding £20, and he shall also show cause why his license shall not be suspended or cancelled. Any person who has been removed from the list shall not be readmitted as a licensed water supply and sanitary plumber or water supply plumber until the term of his suspension has expired or the Minister has directed his reinstatement.

That is altogether too drastic a provision to put in a set of regulations. A workman employed by a licensed plumber is asked for information by someone who may be an inspector, but the workman does not know him from a crow. The workman quite properly refuses to supply it. That fact alone makes the licensed plumber liable to a fine of £20 for the act of his employee, and he may be suspended and not reinstated, although he has expiated the offence, of which he was not personally guilty, by paying a fine.

The Minister for Education: The by-law has been in existence for many years. Has anything of that kind ever occurred.

Hon. A. LOVEKIN: I am aware that the by-law has been operating for years, but that is not a good answer. The question is whether the by-law is reasonable or not. This is the first opportunity we have had for years to deal with this matter. I imagine that the by-law originally was laid on the Table and was overlooked until the time for challenging it had passed. Now we have an opportunity to challenge these by-laws, and I think I am doing right by taking the opportunity. If I miss the opportunity the by-laws will run for another seven or eight years, and the then Minister will try to justify them on the plea that they have been in operation for years. The test is, is this by-law a fair and reasonable one, irrespective of how long it has been in operation or how it got into operation. By-law 69 is a long one. I really wish to delete only a couple of paragraphs, but I am not able to do that, so I ask the House to disallow the whole by-law and let the department bring in a new one amended as members think fit. This by-law provides—

> All pipes, bends, and other apparatus necessary for any such house-drain shall be submitted to the Minister for his testing and shall be approved and passed by his inspector before being used. The following charges shall be made for testing and branding fittings and pipes.

Anyone who knows anything about galvanised pipes and fittings is aware that the last thing that should be done is to put a stamp upon them. To do so breaks the galvanising and the water attacks the iron. It is a farce to attempt to brand these fittings and pipes. The following charges are provided:—Lead pipe for 6ft. lengths, 3in. to 4in. 2d., 1¼in. to 2½in. 1d.; lead traps 1d. each; galvanised wrought iron pipes for lengths of 6ft., 1½in. to 2in. 1d., and 2½in. to 3in. 2d. A man who wants to put an additional stand pipe on his garden main has to get a licensed plumber, purchase three or four feet of pipe of the required size, send it to the Minister, get it stamped and injured by the stamping, and pay his 1d. 2d. or 3d.

Hon. E. H. Harris: Do the department issue receipts for the 1d. or 2d.?

Hon. A. LOVEKIN: I would not be allowed to take the pipe to the department—it has to be done by the licensed plumber—so I do not know.

Hon. H. Stewart: Could you take it if you wanted to, or must it be done by a licensed plumber?

Hon. A. LOVEKIN: I must not touch it at all. It must be done by the licensed plumber.

Hon. H. Stewart: That is for a house drain.

Hon. A. LOVEKIN: Quite so, but that does not matter. The same thing applies to water pipes and lead pipe. For galvanised wrought-iron pipe per length of 6ft., the tax is 3d. These galvanised iron pipes are done up in bundles, and every one is tested before it leaves the maker. Kitchen sinks and lavatory basins are sold by the shops and why do they need inspecting at a charge of 3d. each? I might buy one at Sandover's and yet I could not have it fitted in my house without having first sent it to the Waterworks Department and had it inspected at a cost of 3d.

Hon. F. E. S. Willmott: And probably broken in the process.

Hon. A. LOVEKIN: Yes, there is a by-law which says the department take no risk of any breakages. For the ordinary flushing cistern a bit of galvanised iron is used.

Hon. H. Stewart: It is about the most inefficient of any cistern.

Hon. A. LOVEKIN: Perhaps so, but what is the reason for submitting this to the Minister for Works and paying a tax of 2s. 6d. Earthenware pedestal pans and slop hoppers are charged for at the rate of 6d. each. What test could be made of an earthenware pedestal pan and why should the purchaser have to pay 6d. for the testing? If it is necessary to have them tested, why not arrange for them to be tested at the place where they are sold so that the purchaser, on buying one, can take it away with him. At Sandover's or similar places dozens could be tested right away and this source of cost and irritation to people removed. It is further provided—

> All pipes and fittings shall be brought to places indicated by the Minister and all fees shall be paid before the material is removed after testing.

The department take no risk whatever as regards the fees, and I have already pointed out that they take no risk as regards breakages.

> Fees shall be payable on all material tested whether rejected or passed. Any material submitted for re-test shall be clearly marked as being so submitted and full fees will be charged for each re-test.

One of the lines of policy on which the present Government were returned was to reduce the deficit. Do they expect to accomplish it by some pettifogging system like this?

Hon. J. Duffell: This is their business acumen.

Hon. A. LOVEKIN: Regulation 93 reads—

> It shall be at the discretion of the Minister to supply water to any individual consumer or to any land whether rated or not.

The Minister for Education: Look at Section 46 of the Act.

Hon. A. LOVEKIN: Section 36 reads—

> The owner or occupier of land rated under this Act shall, as far as practicable and subject to the provisions of this Act, be supplied by the Minister with the quantity of water for domestic purposes to which he is entitled in respect of the rates, and, on payment of the prescribed charge, with such further quantity as he may take for domestic and other purposes by measure.

Section 46 reads—

> It shall not be compulsory on the Minister to supply or continue to supply water to any person, and the Minister shall not be liable to any penalty or damages for not supplying or continuing to supply water.

Hon. J. Duffell: What about drought in summer time?

The Minister for Education: If you delete the regulation it will not alter that.

Hon. A. LOVEKIN: If the Minister refused to supply water under the Act, the wording is such that the consumer might contest the right of the Minister to refuse. The Minister might unreasonably refuse to supply.

Hon. J. Duffell: What did the Imperial Government do in regard to the Bermondsey water supply?

Hon. A. LOVEKIN: In that case an Act was passed to compel one municipality which had water to supply another which had not, but that hardly touches this case. Section 46 says it shall not be compulsory for the Minister to supply. Section 36 says the owner shall be entitled to a supply. If there is any trouble under those provisions, the ratepayer might appeal to the court. But this by-law operates against the consumer and leaves it to the discretion of the Minister to supply. The Minister might, through caprice or whim, refuse to supply, irrespective of whether the consumer had paid his rates or not. This is quite unfair and unreasonable.

The Minister for Education: It might be practically impossible for the Minister to supply.

Hon. A. LOVEKIN: No one would compel a man to do an impossibility. That is a maxim of law. If the Minister cannot supply, that is the end of it. The by-law is unfair and unreasonable to the person who is compelled to pay rates. Now I come to By-law 100—

> No person, whether entitled to receive water from the Minister or not, shall without the written permission of the Minister, take away, carry away, or allow to be taken away or carried away, such water from his premises, or sell the same to any other person.

Is it to be maintained that if an accident happens to a neighbour down the street and he is short of water, I, who pay for the water I use, cannot give him a small tankful of water? The provision is too far-reaching, altogether too drastic.

The Minister for Education: Look at Subsection 2 of Section 146 of the Act.

Hon. A. LOVEKIN: That subsection prohibits any alteration or interference with any meter, pipe, drain, or fittings without the consent of the Minister, and prohibits the sale by any person of water supplied to him by the Minister, except with the written authority of the Minister.

The Minister for Education: The Act does not prohibit the sale, but only empowers the Minister to prohibit it.

Hon. A. LOVEKIN: If it empowers the Minister to make a by-law, it contemplates that he will make a reasonable by-law. The point is whether this by-law, made under that subsection, is reasonable. It prohibits a man from giving or selling a kettleful of water to a neighbour, though that of course is an extreme case. Now I come to By-law 105—

> It shall not be lawful for any person or corporation to use any water whatsoever for street watering purposes unless with the written approval of the Minister first obtained.

That is another by-law which goes altogether too far. I am paying for excess water, and I have the right, I suggest, to do as I please with that excess water.

Hon. J. Duffell: Suppose one cannot get enough water for domestic purposes, would you still allow the municipalities to water the streets?

Hon. A. LOVEKIN: This by-law goes further than watering the streets. It prohibits me from laying the dust in the path or on the road, or from watering a tree in front of my premises. These by-laws could be put up in a reasonable way, and in such a way as not to hamper a citizen who wants to water his path or his trees, when he is paying for the water. There might be exceptional times of drought or scarcity of water when the Minister could exercise his power to cut the water off altogether; but in normal times, to which these by-laws apply, it is unreasonable to prohibit any person who is paying for water—and at a high price, too—from putting a drop on the pathway in front of his house or laying the dust on the road on a summer's day. Now I come to by-law 119.

The PRESIDENT: By-law 119 is not referred to in the notice of motion.

Hon. A. LOVEKIN: I thought it was, Sir. No. 119 has apparently been dropped out.

The PRESIDENT: There is no reason why the hon. member should not refer to it.

Hon. A. LOVEKIN: Thank you, Sir. By-law 119 provides a new departure. Heretofore the storm water and sewerage rates were each put up separately, and I do not know the reason why they have been put up in combined form in this new by-law—

> Water and sewerage rates shall be levied in the metropolitan area as follows: Water rate not exceeding 1s. in the pound. Sewerage and storm water rates, taken together, not exceeding 1s. 6d. in the pound.

Further on, the by-law says—

> Minimum for water rate, 10s. Minimum for sewerage and storm water rates combined, 10s.

That is quite a new departure. Formerly the sewerage rate and the storm water rate were put up separately, sewerage being 1s., and storm water 5d. I do not know whether I am right in imputing motives, but it seems to me there is something behind this, because a person might have storm water drainage, and not sewerage, and might have sewerage, and not storm water drainage. If we are to have a combined rate for the two, then the person who has sewerage but no storm water, or storm water and no sewerage, must pay for the two, whereas under the previous system he paid for only one, whichever one he had. The alteration is unsatisfactory. We ought not to ask people to pay for things of which they do not get the benefit. Probably this is a means of raising a little extra revenue. The Minister may turn round and tell us that the department will not do this or that. We have seen a good deal of the things the department can do or not do legally. However, here is the document, and let us have in the document what is meant. There is no reason why the two rates should not be separated to-day as they were separated in the past. Next I come to By-law 125. I submit that the charges for meter rents are altogether excessive. For a quarter-inch meter, valued at a couple of pounds at the most, the rent is 20s. per annum. If a consumer takes 20,000 gallons of water per year, which is a very small supply, he is going to pay 1s. 6d. per thousand gallons for the water, and he is going to pay another 1s. per thousand gallons by way of meter rent. For a four-inch meter the annual rent is no less than 260s.

The Minister for Education: But private residences are exempt.

Hon. A. LOVEKIN: No doubt; but suppose a man wants water for a large building, this is what he has to pay, and it is not a fair rate. The by-law applies to a casual supply of water. Next I come to By-law 131. I take it that the duty of the Water Supply Department is to supply water, and not to draw commission on the erection of houses. By-law 131 provides—

> (1) Where water is required for building purposes, an application shall be lodged, and all fees paid . . .

and so forth. Of course, that is all right. But the by-law goes on—

> (2) When applying for building service the applicant shall produce the plans of the building to be erected, for endorsement of the fee paid, and also, if called upon, shall produce the specifications and contract.

What on earth has that to do with the Water Supply Department? Why should a person be called upon to go to the expense perhaps of getting an architect to prepare another copy of the plans and specifications for the department, and then have to pay as commission to the department on the cost of the building an additional fee based, not on the quantity of water required, but on the cost of the building?

Hon. J. A. Greig: It means that a man building a weatherboard house and wanting water only for the brickwork and the chimneys, would be required to pay on the total cost of the building.

Hon. A. LOVEKIN: That is so. It is specially prescribed. This charge also applies to wood and iron houses without any brick or plaster. I say the cost of the building should have nothing whatever to do with the Water Supply Department. Again it is provided that it shall be at the discretion of the Minister as to whether the supply of water shall be classed as a supply for building purposes, or whether it shall be measured by meter. Then I come to By-law 132. I should like hon. members to look at this schedule of fees payable. The Minister the other day told us how our industries were progressing, and how great was the need for giving us a stimulus for their growth. The Water Supply Department does not seem to agree with that view, because I notice that for trading and other services water is 1s. 6d. per thousand gallons. The fundamentals of industries are cheap power and water. Water for trading purposes is 1s. 6d. per thousand

gallons, but water for sports is 1s. per thousand gallons. Industries 1s. 6d., sports 1s. See the differentiation made between sport and industry!

Hon. G. W. Miles: But it is a sporting Government.

Hon. A. LOVEKIN: I do not mind religious and charitable institutions getting cheap water, but I say that water for trading should also be at the lowest rate, in order to encourage industries, instead of which they exact the highest possible charge on every occasion. I ask that By-law 132 be disallowed on that account, and on account of the provision (a) which says, "The current rate for excess water shall be 1s. 3d. per thousand gallons."

Hon. J. Duffell: It used to be 1s.

Hon. A. LOVEKIN: Yes. Now when you get any excess of the quantity you are entitled for your rates, you have to pay 1s. 3d. per thousand gallons. Until 1920 the rate was only 1s. Last year it climbed up to 1s. 3d. I did not notice it when the regulation was laid on the Table. The extra charge did not improve the quality of the water.

Hon. J. Cornell: They increased the charge 25 per cent. and reduced the quality 100 per cent.

Hon. A. LOVEKIN: I would not dispute that. Whatever was done last year does not apply this year, because this year all the municipal assessments have been increased anything from six per cent. to 30 per cent. The Water Supply Department get the benefit of that increased rating. I have here some accounts showing the water charges paid in respect of certain houses in Perth. Take this one: Last year the department collected from this house £23 5s.; this year it will collect £39 7s. 6d. Yet the department will do no more work, supply no more water to that property. Notwithstanding this the account will be increased by £16.

Hon. A. J. H. Saw: That is what Mr. Dodd calls the unearned increment.

Hon. A. LOVEKIN: It is very substantial.

Hon. H. Stewart: Wages and working expenses have gone up.

Hon. A. LOVEKIN: But not in anything like this ratio, £16 on £23. Moreover, the raising of the assessments is the best possible reason why the price of excess water should not be increased. Therefore I suggest we disallow this by-law. In another house the amount paid last year was £42 10s., whereas this year it is £50. In respect of a third house the amount paid was £10 15s., whereas it is now £11 12s. As I say, the increases vary from six per cent. to 40 per cent. The assessments have gone up all round, as Mr. Macfarlane knows.

Mr. Macfarlane: That is quite right.

Hon. A. LOVEKIN: And the Water Supply Department derive a very large profit from the increase of those assessments. In consequence they are not entitled to charge anything like 1s. 3d. per thousand gallons for excess water, especially in view of the quality of the water supplied. Probably we shall be told the cost has gone up. No sewerage work has been proceeding in Perth for some time past, yet on looking through the list of departmental officers I notice that a good many of those connected with sewerage are still employed. I suppose these increases in petty charges, including the 3d. increase on excess water, are all to help to provide the salaries of those officers. The department should not be encouraged to put up the price twice over. There should be some attempt made at economy in the department. What good purpose is served by keeping an army of 45 clerks to send out notices, when a simple arrangement could be made with the municipalities to add the 1s. rate to the municipal notices, leaving only the excess water to be dealt with by the department? That would save quite a lot of money for the ratepayers. This question of water charge is most important to the consumers in Perth.

On motion by the Minister for Education, debate adjourned.

BILL—NURSES REGISTRATION ACT AMENDMENT.

Second Reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [5.30] in moving the second reading said: This is a Bill to amend the Nurses Registration Act passed last session. One of the provisions of that Act was that persons holding certain necessary qualifications might apply for registration to the board on or before 30th June, 1922. There was unexpected delay in the printing of the Act, and further delay in selecting and finalising the appointment of members of the board. The result was the first meeting of the board did not take place until the 14th June, 1922. It was consequently impracticable in many cases, for people living at a distance, to have their applications lodged in the time specified in the Act. The board feels that grave injustice may be done to certain persons through their not being able to get in an application for registration before the due date. The first and main object of the Bill is to extend the time in which applications may be made until the first day of January, 1923. It makes no alteration to any principle of the Act, but merely gives this additional six months in which people qualified for registration may make application to the board.

Hon. A. Lovekin: Make it a year.

The MINISTER FOR EDUCATION: I do not think that it matters much. Another difficulty has arisen as to the interpretation given to the word "authority." Subsection 4 of Section 5 of the Act provides that—

> Every person shall be entitled to registration under this Act who has attained the age of 21 years, and holds a certificate from an authority outside the State, whereby it is certified that such person has received such training and has passed such

examination as would be required from Western Australian nurses under this Act. The difficulty the board has found itself confronted with is in the interpretation of the word "authority." It is the desire of the board to recognise such organisations as the Australian Trained Nurses' Association, the Royal Victorian Trained Nurses' Association, and the Royal British Nurses' Association. I think it was the intention of Parliament that they should be recognised as authorities, but on the matter being referred to the Crown Law officers the board was advised that "authority" meant some department or body deriving its functions and powers from some statute.

Hon. J. Cornell: The evil is perpetuated in the proposed new clause.

The MINISTER FOR EDUCATION: No. The associations referred to are not statutory organisations and therefore could not be regarded as authorities, that is as bodies deriving their functions and powers from some statute. The difficulty would not be so great if nurses were registered in the whole of the States, but they are not. In only two of the other States is there State registration of nurses.

Hon. F. A. Baglin: Have we not branches of these associations in Western Australia?

The MINISTER FOR EDUCATION: I do not think there would be any branch of the Victorian Trained Nurses' Association here. Undoubtedly it was the intention that this organisation should be one of the authorities recognised, but it cannot be recognised owing to the present wording of the Act. Outside Australia, in several of the dominions, there is no registration. Therefore, the qualifications of an organisation that the board may desire to recognise, and which ought to be recognised, are not qualifications under the Act as it stands.

Hon. J. Nicholson: Do you know the names of the other associations in the other States besides the Royal Victorian Trained Nurses' Association?

The MINISTER FOR EDUCATION: I have quoted the names of the three organisations put forward by the board.

Hon. A. Lovekin: What about the Edinburgh association?

The MINISTER FOR EDUCATION: It is thought that an injustice might be inflicted, quite unintentionally, upon nurses from the other States and the Old Country. It is desired that Subsection 4 of Section 5 should be amended in such a manner as to permit of the associations mentioned, or other associations or authorities—this would cover the point raised by Mr. Lovekin—being recognised as authorities from time to time by the board, and of nurses holding certificates given by such organisations being granted registration without examination by the board. That was the intention. These certificates would have to show that the training and examinations were up to the standard required by this State. It is proposed in Subsection 4 of Section 5 to omit the words "an authority outside the State," and insert the words "the Australian Trained Nurses' Association, the Royal Victorian Trained Nurses' Association, the Royal British Nurses' Association, or other association or authority outside the State recognised by the board." That will cover the whole difficulty and embrace any association or authority the board may choose to recognise. At present the only authority the board can recognise is some department or body, in a State of the Commonwealth or elsewhere, that derives its functions and powers from some statute. The amendment is, I am sure, merely carrying out the intentions of Parliament when the Act was passed. I move—

That the Bill be now read a second time.

Hon. A. LOVEKIN (Metropolitan) [5.35]: I think the Bill is very necessary. I only rose because I have had some experience of the operation of the Act. The Agent General was not advised of the passing of this Act, and no one knew anything about it. Last May a nurse, having proper credentials, was passed through the Agent General's office to come to this State. She arrived here on the 3rd or 4th July. The board inserted a notice in a local paper stating that the Act came into operation on the 1st July, and that, unless applications were lodged by that time, nurses could not be registered on their qualifications without having to sit for a further examination. I saw this notice, and induced the girl's sister to put in an application on behalf of the nurse before the time had expired. When the nurse arrived, there was some little difficulty, but this was eventually overcome, and on the production of her certificate she was registered. Up to the month of May the Agent General had no notice regarding the Act. It is my intention to move, when in Committee, that the time for lodging applications be extended to 12 months instead of six. The board does not meet very often, but when it does meet, and information concerning the Act is sent out to the world, the six months will have elapsed. Whilst we are at it we should make sure that everyone knows the contents of this Bill. I support the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. Ewing in the Chair; the Minister for Education in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 5:

Hon. A. LOVEKIN: I move an amendment—

That in proposed Subsection (b) line 4 the word "January" be struck out and "July" inserted in lieu.

Amendment put and passed.

Hon. A. LOVEKIN: The Royal British Nurses' Association is mentioned in this sec-

tion but I understand there is also an association in Edinburgh, which perhaps should be included with the other organisations mentioned. Perhaps Dr. Saw can enlighten the Committee upon the subject.

Hon. A. J. H. Saw: I do not know anything about the nurses' association in Edinburgh, but no doubt it is of the same high standing as the Royal British Nurses' Association.

Hon. J. CORNELL: The best method of procedure would be for the board to make a schedule of all the associations recognised by it, and for power to be given to the board to take from or add to that list from time to time. Any nurse who comes to this State fully qualified to practice her profession should be able to receive registration at once.

The MINISTER FOR EDUCATION: If such a list as suggested were made, it would be dangerous if any omission occurred in connection with it. It would be necessary to cover all the organisations concerned, or injustice might be done to someone.

Hon. J. NICHOLSON: The names of three institutions are specified in the Bill. If the matter is left to the board to say whether the qualifications of another institution are acceptable or not, a dangerous principle may be set up. In the event of a dispute, there should be some other authority to appeal to besides the board.

Hon. H. Stewart: Does not the original Act provide for an appeal?

Hon. J. NICHOLSON: I do not think it does. The Minister might agree to report progress.

Hon. J. DUFFELL: The point could be settled by adding these words "or whose qualifications are in all respects similar or equal to those of the institutions recognised by the board."

The MINISTER FOR EDUCATION: There is no desire to hurry the Bill through, and the hon. member might be given time to put his amendment on the Notice Paper. We might report progress at this stage.

Progress reported.

BILL—LIGHT AND AIR ACT AMENDMENT.

Second Reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [5.50] in moving the second reading said: This is a very small Bill, but it is one of some importance, and I invite members to give it their serious consideration. The Light and Air Act was passed in 1902. That was only a short measure consisting of five sections. Section 2 provides—

> That a grant of the right of access of light or air made at any time after the passing of this Act may be enforced if—(a) Such grant be made by deed duly executed and registered, (b) Such grant shall provide that the benefit thereof shall inure for a term not exceeding 21 years and no longer.

This seems rather peculiar wording—"not exceeding 21 years and no longer." The object of the Bill is to strike out the words "no longer" and to insert the following words "or with the approval in writing of the Governor (but not otherwise) for a term exceeding 21 years." The section will then read—

> Such grant shall provide that the benefit thereof shall inure for a term not exceeding 21 years, or, with the approval in writing of the Governor (but not otherwise) for a term exceeding 21 years.

The immediate occasion for the amendment of this Act is that the Government have received an application from a firm of solicitors representing a company who propose to build extensive premises in St. George's-terrace. They are acquiring their light easement from a neighbouring landowner, and that owner is prepared, no doubt for a consideration, to give the company a permanent easement for light and air purposes over two small pieces of his land, though not on the frontage. That, of course, is a very important consideration. The original reason why people were prevented from giving perpetual easement for light and air purposes was that they might destroy appearances and eventually perhaps retard the progress of the locality. That is the reason why in the present amending Bill, although provision is made for perpetual easements, they can only be made with the consent of the Governor-in-Council. In this case the easement which the owner of the adjoining property is prepared to give is in the one case down the side of the property on which is is proposed to build, and some distance from the frontage, and in the other case the easement is at the back of the site. The owner is quite prepared and anxious to give the easement in perpetuity, but under the existing law he cannot do so. No matter what he may agree to do, it can only stand for 21 years, and the company who propose to erect a substantial building, naturally say "We cannot go on with our operations because these two apertures for light and air are essential to us."

Hon. A. Lovekin: Are you not running a big risk for an isolated case?

The MINISTER FOR EDUCATION: It is not intended that this should be an isolated case. I do not know that there is anything being erected in the State at the present time except permanent structures, and we do not propose to take anything away from anybody.

Hon. J. Duffell: How will it apply to the alignment of the building?

The MINISTER FOR EDUCATION: In this case the company propose to build on the whole of the frontage, and in order to do that they must have provision for light and air away at the back, and half-way down the side of the proposed building. The adjoining owner is willing to give the company the perpetual easement they desire, but he is prevented from doing so by the

existing law. Permission can be given at the present time for 21 years and no longer. The object of the Bill is to make it possible for any person who desires to give a perpetual easement to do so, but only with the consent of the Governor-in-Council. I do not know of any difficulties that can arise. In London I believe there have been examples where these perpetual easements have caused disfigurement and have retarded the progress of building operations in the locality. That is what we wish to prevent. But with the qualification that is included in the Bill that the consent of the Governor-in-Council must be obtained, I think there is ample security.

Hon. J. Duffell: This will probably necessitate an amendment of some of the city by-laws.

The MINISTER FOR EDUCATION: No. Prima facie one would think that the owner of a property could give any perpetual easement if he chose to do so if he received what he thought was sufficient recompense. The 1902 Act provided that the easement should not be for more than 21 years. What the Bill seeks to do is that the easement may be given beyond the 21 years with the consent of the Governor-in-Council. I move—

That the Bill be now read a second time.

On motion by Hon. J. Nicholson debate adjourned.

BILL—BROOME HILL RACECOURSE.

Second Reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [5.57] in moving the second reading said: This is a small Bill, and its object is similar to that of a couple of measures we put through last session. The sporting bodies of Broome Hill and the general public found themselves in an unfortunate position because their reserve for a racecourse is situated two miles from the township. It is held under a 99 years lease and is used exclusively for racecourse purposes. Not only is the reserve a long way from the township, but it is very uneven and low lying. In fact, portions of it become a quagmire in winter and thus it is unsuitable for cricket and football. A general meeting of all the sporting bodies in the locality was held, and it was decided to ask for the freehold of this area, reserve 4568. The freehold is desired with power to sell, provided that the proceeds shall be devoted to the purchase of 63 acres of freehold situated half a mile from the township, which block will be improved and made suitable for all sporting purposes. The reserve will be sold for about 35s. per acre and the 63 acres closer to the town will cost £3 per acre, but as the other area is larger, there will be a small difference, a matter of a couple of hundred pounds, and that will be devoted to the improvement of the new ground. This new ground is to be vested in the Broome Hill Road Board. The Broome Hill Race Club and all the sporting bodies support the proposition. We did practically the same thing last session for Narrogin and Wickepin. It is entirely desirable to give these people the facilities they seek. I move—

That the Bill be now-read a second time.

Question put and passed.

Bill read a second time.

In Committee.

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

House adjourned at 6.3 p.m.

Legislative Assembly,

Thursday, 7th September, 1922.

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

ADDRESS-IN-REPLY—PRESENTATION.

Mr. SPEAKER [4.32]: I have to inform hon. members that in company with the Colonial Secretary I waited on the Lieutenant Governor and Administrator and presented the Address-in-reply. His Excellency was pleased to reply as follows:—

> Mr. Speaker and members of the Legislative Assembly: I thank you for your Address-in-reply to my Speech with which I opened Parliament, and for your expressions of loyalty to our Most Gracious Sovereign. (Signed) R. F. McMillan, Lieutenant Governor, Administrator.