THURSDAY, 30th SEPTEMBER, 1954.

CONTENTS.

The ACTING SPEAKER (Mr. Brady) took the Chair at 2.15 p.m.

QUESTIONS.

TOURIST TRAFFIC.

As to Effect of Migration.

Hon. C. F. J. NORTH asked the Minister for Mines:

Is it found that while there is a large influx of visitors to the State by means of migration, a policy of increasing the number of tourists to Western Australia presents difficulties?

The MINISTER replied:

By the establishment of travel offices in other States and the use of every avenue of publicity, the number of tourists attracted from the Eastern States to Western Australia has increased steadily over the years. The following table shows the number of Eastern States visitors booked through the W.A. Government Tourist Bureau since 1950-51:—

1950-51	3,009
1951-52	4,131
1952-53	4,777
1953-54	5,983

This represents almost 100 per cent. increase in four years.

With the improvement in interstate rail travel, organised tours have again been undertaken by the W.A. Government Tourist Bureau. In 1952-53 there were two organised tours from the Eastern States, and in 1953-54 there were three, while the programme for 1954-55 provides for 12 organised tours from outside Western Australia. As a result of the publicity given to the State through the W.A. Government Tourist Bureau, private travel agency bookings undoubtedly show the same trend.

TRADE DESCRIPTIONS AND FALSE ADVERTISEMENTS ACT.

(a) As to Offences Proven.

Mr. McCULLOCH asked the Minister for Labour:

Have any offences been proven whereby the Trade Descriptions and False Advertisements Act as amended in 1953 was not complied with. If so, how many?

The MINISTER replied:

No.

(b) As to Accuracy of Trade Description.

Mr. McCULLOCH asked the Minister for Labour:

(1) What authority, or person, is responsible for ascertaining that an article is "pure wool" and labelled as such?

(2) (a) Does a complainant have to prove that a garment purchased and labelled "pure wool" is less than 95 per cent. by weight of wool.

(b) If so, what provision is available for the checking of the fibre of such garment?

The MINISTER replied:

(1) Any person may prosecute under the Act. In addition, every factories inspector is charged with the responsibility of seeing that the provisions of the Act are observed. Subject to the approval of the Chief Inspector of Factories, inspectors may prosecute where an offence has been committed.

(2) (a) Yes.

(b) Recognised public analysts, or in the case of official matters, the Government Analyst.

LAND RESUMPTION.

As to Amending Basis of Compensation.

Hon. D. BRAND asked the Minister for Works:

Is it correct that the Government proposes to amend legislation covering the basis of compensation to land-owners for land resumed under the Industrial Development Resumption of Land Act, 1952?

The MINISTER replied:

It is presumed the hon. member refers to the Industrial Development (Resumption of Land) Act, 1945-1953. It is not proposed to amend this Act.

INDUSTRIAL PIPING.

As to Increasing Local Production.

Hon. D. BRAND asked the Minister for Industrial Development:

(1) Is it a fact that over recent years the State's demand for piping of all sizes, as well as valves and fittings, has greatly increased?

(2) Would he agree that the increased development in the field of secondary industry and the possibility of finding oil in commercial quantities would make further demands for similar materials?

(3) As no doubt it would be desirable to manufacture some or all of this equipment in this State, can he advise if any approach for land has been made by any company which desires to establish a factory here for this purpose?

The MINISTER replied:

(1) Yes.

(2) Yes.

(3) Piping, valves, and fittings of various types and sizes are already made in this State. In addition, inquiries have been made and discussions regarding land held with other pipe-making companies, but no definite proposals for the manufacture of additional pipes, valves or fittings have been submitted.

SUSPENDED SITTINGS.

As to Questions Without Notice.

Mr. MAY: May I ask a question without notice?

The ACTING SPEAKER: It has been ruled that there can be no questions without notice at the resumption of a suspended sitting.

BILL—JURY ACT AMENDMENT.

Conference Managers' Report.

The MINISTER FOR JUSTICE: The managers met in conference on this Bill, and failed to agree. The first amendment discussed was that relating to the age limit. The Bill provided for women to serve on juries between the ages of 21 and 60 years. The Council's amendment provided for the ages to be from 30 to 60 years. The Assembly managers compromised on this amendment, but failed to reach agreement on the second amendment, which had reference to Subclause (2) of Clause 4. The subclause in the Bill is as follows:—

> (2) Any woman qualified and liable to serve as a common juror under the provisions of Subsection (1) of this section shall, upon giving written notice to the sheriff of her desire to discontinue her qualification and liability to serve as a common juror, cease forthwith to be so qualified and so liable.

The Council's amendment made it obligatory that women must apply to be placed on juries. On this matter a deadlock was reached. Various women's organisations will be very disappointed with the result of the conference, including the Women's Service Guild, the National Council of Women, the Housewives' Association and the Women's Parliament, who were anxious that the Bill should be passed. However, as an agreement could not be reached with regard to the second amendment, the Bill was lost. I move—

That the report be adopted.

Hon. A. V. R. ABBOTT: I want to make it clear that, with regard to the first amendment, we pressed for the acceptance of the age of 30 years, but we were quite willing to agree to 21 years.

The Premier: Who?

Hon. A. V. R. ABBOTT: The representatives of the Upper House would have accepted 21 years.

The Premier: All of them?

Hon. A. V. R. ABBOTT: Yes. On the other hand, representatives of the Lower House—all of them—would have accepted 30 years if a compromise could have been arranged in connection with the other clause.

Hon. J. B. SLEEMAN: As one of the managers who is supposed to come back and report the proceedings of the conference to the Assembly, I must say that, much against my belief, I agreed to 30 years being the age, provided the others would compromise and not demand that women should write in in order to have their names placed on the jury list. But as they would not agree, it was not possible to arrive at a compromise, and the conference finished an hour after it started.

Question put and passed.

Bill dropped.

BILL—NATIVE WELFARE.

Second Reading.

Debate resumed from the 16th September.

HON. SIR ROSS McLARTY (Murray) [2.25]: The Bill will, I think, be more favourably received than the one which was introduced last year. I am sure there is a genuine desire on all sides of the House to do something of a practical nature to fit the native population to carry greater responsibilities, and to raise their status generally.

The Minister, when introducing the Bill, made reference to the term "native" and said that when a similar Bill was previously introduced, the Government desired that the name "aborigine" should be used and the term "native" dropped. I would not have any strong objections to whichever name was used. I cannot see anything wrong with the term "native." I do not think there is anything offensive about it. It is, in fact, quite usual to describe a person as being a native of the country in which he was born, irrespective of his colour.

The Minister for Native Welfare: Aborigines cannot belong to the Australian Natives' Association.

Hon. Sir ROSS McLARTY: I cannot see Why not. I join with the Minister in paying a tribute to the work the missions have done in this State. I have visited a number of them, and by so doing have gained an appreciation of the value of their work. Certainly the missionaries, both men and women, who have made this their life's work, are deserving of the gratitude of the people generally. I retain interesting recollections of my visit to the Derby leprosarium where I saw the work carried out by the missionaries. Certainly it is a noble work and one which, when seen, gives us a greater appreciation of what is done there.

In the course of his speech, the Minister told us of the considerably increased amounts that were being made available to the missions by the Government in order to assist them generally in their work. I approve of this. My own Government, when it was in office, did what it could each year to increase the amounts payable to missions.

It is interesting to note that the Bill does not repeal the section of the Act which makes it an offence to supply a native with intoxicating liquor. Members will recall that when a similar Bill was debated last year, this particular provision created a good deal of discussion, and strong objections were offered to its repeal. Members know that heavy fines are inflicted for this offence, the maximum being £100 or, I think, a penalty of 12 months' imprisonment, or both; and one-fifth of the maximum fine must be imposed on persons who are found guilty of the offence. This is an indication of how seriously this offence has been regarded in the past, and still is regarded by a large number of people who have some practical knowledge of the lives of the natives.

Why were these heavy penalties provided in the first place, and why have they existed for so long? It is because intoxicating liquor has a very detrimental effect upon the natives. When the previous Bill was before us, some hon. member interjected—"And so it has upon white people." That is so, but it does appear to me—and I have had considerable experience in this regard—that its effect upon our natives is much more detrimental than it is upon our white population.

Mr. May: Do not you think that is because they are not accustomed to it?

Hon. Sir ROSS McLARTY: I do not know that I can answer the question asked by the hon. member.

Mr. May: Do not you think that there is something in that theory?

Hon. Sir ROSS McLARTY: I know that it is detrimental to them and a number of the native population do not favour the repeal of this provision.

Mr. May: It is detrimental to the whites as well.

Hon. Sir ROSS McLARTY: I said that a moment ago. But I will not pursue the matter, because the present Bill does not propose to repeal the provision and it will still be an offence to supply a native with intoxicating liquor. However, the Bill proposes to repeal Section 50 of the Act. As the Minister explained, this section prohibits a native entering licensed premises unless he is employed on such premises by permission of the Commissioner for Native Affairs. I ask members to consider what effect the repeal of this section will have. If it is repealed, a native will be able to enter a hotel and go into a bar or lounge or, in fact, any part of the hotel, but he will not be served with intoxicating liquor. I can see great difficulty in hotelkeepers observing the law under those conditions.

Let us take the case of a crowded bar or lounge. Those natives who have citizenship rights can obtain liquor in the same way as any ordinary person, but if Section 50 is repealed, they can be accompanied by many of their coloured friends and I can envisage the great difficulty a hotel proprietor, or the person behind the bar, will have in deciding who shall be served with liquor and who shall not. Would the person serving behind the bar, or in the lounge, have to ask every native to show his permit before liquor could be served; or what protection would a hotelkeeper have in regard to this provision? When the Minister replies, I think he should make the position clear because it will be extremely difficult—I would say almost impossible—to police the Act if the section to which I have referred is repealed.

The Minister for Native Welfare: It will not make any difference. All that the repeal of the section means is that a person who is now a full-blood will be entitled to go into a hotel to get meals and accommodation.

Hon. A. V. R. Abbott: And into the bar.

Hon. Sir ROSS McLARTY: Yes, the bar and the lounge.

The Minister for Native Welfare: Section 49 would stop that.

Hon. Sir ROSS McLARTY: No. That is why I ask the Minister to have a look at this. It will create a difficult position and while the licensed victuallers have not approached me about it, I understand they are concerned and are making representation in that regard. I propose to move an amendment to this clause to make it more workable. I do not wish to stop natives from going into a hotel because, as the Minister mentioned, if they are decently clad, the same as any other person, and act the same as ordinary respectable citizens—and a great many of them are—I do not think there can be any objection to their receiving accommodation or meals.

The Minister for Native Welfare: Will you be placing the amendment on the notice paper?

Hon. Sir ROSS McLARTY: Yes, they are on the notice paper now.

Hon. A. V. R. Abbott: No, they have not yet been printed.

Hon. Sir ROSS McLARTY: I handed some in several days ago and others in yesterday. The Minister will easily understand the amendment and I ask him to give favourable consideration to it. I do not propose to agree to the repealing of the section, but I shall move an amendment to add at the end of the section a proviso which reads as follows:—

> Provided that nothing in this section shall render it unlawful for any holder of such licence to admit any native upon his licensed premises for the purpose of taking board and lodging therein.

I think from that the Minister will understand what I want to do. The Minister, when he introduced the Bill, suggested that the proposal to repeal the section should be given a trial.

To the leaders of the native community and to those who are interested in native welfare I make this suggestion: If the repeal of this section is agreed to, they use their influence to see that the privilege is not abused. I also say to the natives: Let those who wish to obtain citizenship by right and not by application, remember that the abuse of this right, if granted, will lead to strong opposition to citizenship rights and there will also be a strong demand for the reinstatement of this section in the Act. I think the Minister can appreciate that. I give that warning in the interests of the natives and native welfare generally. At this particular time the importance of temperance should be stressed to all native children; no doubt that is done in all missions. Special emphasis should be laid on this point because if the section is repealed, it will enable the natives to get more drink and will certainly put more temptation in their way. If the clause is agreed to, I hope the Minister will not have cause to regret his action.

I have no objection to the wiping out of restrictions on natives entering towns. In these days, when most of them live as whites, they want to do their shopping, attend picture shows, play football and freely mix with the white people. Nowadays they are well clad and I know that a number of them take pride in their appearance, and, as a result, I think this proposal should be agreed to. The word "loitering" is mentioned in the clause. Anybody can be apprehended by the police for loitering, especially if he is loitering for some unlawful purpose. Therefore if this provision is agreed to, the police will still have power to deal with those who are loitering, whether they be natives or white people.

The Minister for Native Welfare: It would not be "loitering" under the Native Welfare Act.

Hon. Sir ROSS McLARTY: I agree that the section should be repealed and I think we can agree to the proposal that native reserves should not be closed. The Minister gave some reasons why the amendment should be agreed to and he told us that certain natives who have citizenship rights are not permitted, as the Act now stands, to visit their relatives on these reserves. I think it is the natural desire of all people to visit their relatives from time to time, and I consider that the natives should be given the same privilege, if one can class it as a privilege, or right, as any other section of the community enjoys. The Minister also said that a pastoralist could be prosecuted if he visited a native camp with the idea of offering employment to a native. I think that is far-fetched.

The Minister for Native Welfare: He could be.

Hon. Sir ROSS McLARTY: Yes, he could be.

The Minister for Railways: Lots of things can be done under the law if you are indiscreet enough to do them.

Hon. Sir ROSS McLARTY: That is so. I think that the provision should be wiped out of the Act. Under the Bill I notice that a native cannot be prosecuted without the consent of the protector. I think this particularly refers to reserves, but, in my opinion, the Minister should give more consideration to the proposal A protector may be a great distance away from a person who wishes to make the complaint and yet that individual would not be able to lodge his complaint unless he had the approval of the protector. That could bring about a chaotic state of affairs, and I do not know why the Minister wants that provision in the Bill.

The Minister for Native Welfare: What clause is that?

Hon. Sir ROSS McLARTY: I cannot remember the number of the clause.

Hon. A. V. R. Abbott: It deals with Section 16 of the Act.

Hon. Sir ROSS McLARTY: I will deal with it at the Committee stage. I can see no reason to prevent a native woman from entering territory within two miles of any creek or inlet used by boats. No doubt this provision was put in the Act originally for the protection of native women; but I agree with the Minister that it is outmoded.

The Minister for Native Welfare: It is.

Hon. Sir ROSS McLARTY: I do not think there can be any opposition to that provision in the Bill. The permit system

is also to be abolished and I think that is wise. The permit system is not satisfactory and is irritating to both the employer and the employee. I suppose there was a time when it was necessary, but today, as the native has become more enlightened, there is no further need for the permit system to apply.

Furthermore, I also agree that natives should come under the provisions of the Workers' Compensation Act. I would ask the Minister what would be the position now of natives, other than those who are employed, who become sick, and are under a medical and hospital treatment scheme. To make myself clear, I would point out that under the permit system a native receives free medical and hospital treatment. Now that the native is employed, he will be entitled to full compensation rights. But that does not cover all his relatives, and I would ask the Minister if the free medical and hospital treatment disappears or will it continue if this Bill becomes law.

There is another provision to which I take exception. I refer to the proposal in the Bill that makes it obligatory on an employer to return a native to the place where he ordinarily lived. I propose to try to amend this particular provision to make it read " the place in which he was previously employed." The Minister knows that the period of employment of many natives is very uncertain. They like to move about and many of them prefer not to remain in the same place for too long. I am informed by a good authority that if this clause is insisted upon in its present form, it will restrict much of the employment that is available to natives. That would be unfortunate because it would not assist the natives.

Let us consider the case the Minister quoted where natives are employed as drovers. They may come from the far north of the State; from the district represented by the hon. member for Kimberley. They may come right down to Wiluna, Mullewa or somewhere else. If they are engaged and have to make that long journey, I think it is a fair thing that they should be returned to the place from whence they came. But could this occur? Could a native come down to Wiluna or Mullewa, meet some of his friends up there and decide to move to the southern parts of the State. If he were employed by some person down here and only remained with them for a few weeks, would there be any obligation on the employer to return him to the place in which he previously lived?

If that is the position, I feel certain it would be to the detriment of the native; it would restrict his employment. Accordingly, I suggest to the Minister that the amendment I propose to move to delete the words, "ordinarily lives" and insert the words, "was engaged" in lieu would be more practical. Did the Minister say he agreed to the amendment?

The Minister for Native Welfare: I will have a look at it.

Hon. Sir ROSS McLARTY: I think it will be more satisfactory both from the point of view of the employer and the employee. I note with some concern that regulations under this Act will override the Land Act, and I think the pastoralists are very concerned about this phase. I understand that certain difficulties have arisen in the Port Hedland district where land has been acquired and water points have disappeared. If it is proposed to amend the Act at all, surely the place to do it is in the Land Act! Surely this Act should not override the Land Act!

If he looks at the notice paper I think the Minister will find that the Leader of the Country Party proposes to move an amendment in relation to this particular clause. I feel it could lead to difficulty as it would give the Department of Native Affairs priority over leases of land and it could be that certain waters could be taken from land-holders. As I say, it has been mentioned to me that this has occurred in the Port Hedland area.

I agree with the proposal for the freedom to marry without the consent of the Commissioner of Native Affairs. I again think that the day has gone when our native population should be made to seek permission before they can marry. A great majority know their own mind and they are the best judges of whom they should marry. I agree with this provision. I think also that we could agree to the abolition of native courts. That may have been necessary in distant times, but it is not so today when the native is being educated and is fitting himself, as many of them have done, to take his part in the life of the community generally. The Minister proposes to delete the provision relative to tribal practices. I can see no objection to that because these tribal practices have disappeared with the advent of education and general advancement.

The Minister for Native Welfare: If they were carried on at all, they would be carried on where neither the Minister, the commissioner or any native welfare officer would know about it.

Hon. Sir ROSS McLARTY: I understand some of them are carried on in the Kimberleys, but the natives there are being progressively educated against undesirable practices. In the early days some of the practices were certainly undesirable and I suppose action could be taken in some other way than by this Act to prevent such practices if they were thought undesirable. The natives can now procure poison and they will procure it under the same conditions under which ordinary people obtain it. The Minister said this was necessary to provide the means to enable them to earn part of their living.

The Minister for Native Welfare: It is.

Hon. Sir ROSS McLARTY: They will have to sign for the poison when they get it from a chemist and will have to take all the precautions that the law provides when poison is procured generally. The Minister also referred to certain anomalies that were to be ironed out with the Social Services Department. This, of course, is a Commonwealth matter and some of the anomalies referred to by the Minister should be rectified. If representations are made—as I have no doubt they will be—I feel certain these anomalies will be satisfactorily adjusted.

The Minister for Native Welfare: It is hoped to have a conference of Ministers of Native Welfare from different States to discuss this matter.

Hon. Sir ROSS McLARTY: There is another provision in the Bill to which I wish to draw the attention of the Minister. This provision makes an employer responsible for the transport of all native people, whether wholly or partially dependent on the employee, should they become sick and be taken to hospital; this will be done at the employer's expense. I hardly think this is a reasonable proposition. I know of cases where natives have been employed and have brought quite a large number of relatives with them. Why should an employer be made responsible for people whom he is not employing? If it were made to relate to the employee's own immediate family there might be some argument for it. But the provision in the Bill refers to all native people wholly or partially dependent on the employee. There might be numbers of them, and they might not be relatives at all, but yet be wholly or partially dependent upon the employee. I propose to try to amend this clause and I hope the Minister will agree.

I noticed in "The West Australian" this morning an extract from a report tabled by the Commissioner of Police in which he referred to Section 61 of the present Act, and mentioned some undesirable features connected with it. I cannot help but think that the commissioner is justified in what he has had to say. In this Bill the Minister proposes to strike out most of this provision. The section consists of five subsections and the Minister proposes to strike out three and leave in only two. That means that the greater part of the section will disappear. The following subsection is left in:—

> (1) No admission of guilt or confession before trial shall be sought or obtained from any native charged or suspected of any offence punishable by death or imprisonment in the first instance. If any such admission or confession is obtained, it shall not be admissible or received in evidence.

The only other part of this section which is to remain is Subsection (5) which states—

> Any protector may on behalf of a native indicted for or charged with any crime, misdemeanour or offence, address the court or the jury on behalf of the accused and examine and cross-examine the witness.

It is Subsection (1) with which I wish to deal. The Minister said that he desires to bring about equality. As an example, let us consider the coloured people in this part of the State. I would say that they have a knowledge of the law which is as good as that possessed by the average white man. I refer to the common laws that affect the everyday life of people. Why does the Minister wish to retain this particular provision? It cannot be said that he is trying to bring about the equality of all sections of the people, because this provision extends a privilege.

The Minister for Native Welfare: This gives protection.

Hon. Sir ROSS McLARTY: I can understand why such protection was necessary in days gone by, but today we have educated natives—educated as well as the average citizen in this State—but even though they may make confessions of guilt, these cannot be accepted as evidence. In today's issue of "The West Australian" the Commissioner of Police points out the difficulty in getting convictions. He tells us of some of the undesirable occurrences that are happening in the metropolitan area, but because of this particular provision in the Act, the police cannot get convictions.

Personally, I know that for some considerable time when I was in office, and even before, there was a desire on the part of the police to alter this provision. For the life of me I cannot see that the repeal of this subsection would do any injustice to the native population. I say this to the Minister: It could probably apply to the full-blood natives in the far north of this State. I would be quite agreeable to those natives being afforded this protection. If the Minister can convince me—

The Minister for Native Welfare: One argument is that you are a citizen and so is the policeman, but the native is not. Why not give the last-mentioned equality of rights and then this provision will disappear?

Hon. Sir ROSS McLARTY: We are moving towards the objective outlined by the Minister and I can see no reason why this particular provision should still apply. I would say that, rather than being in the interest of the coloured man, this subsection is to his detriment. If we were to approach half a dozen of the average educated native persons and ask them what they think of this provision and whether it should still remain in the Act, I am convinced that

the reply would be to the effect that they were prepared to see its deletion. An attempt will be made in Committee to amend this subsection of Section 61 of the present Act. I hope that in the meantime the Minister will look at this provision again and give full consideration to what I have said.

I am glad that a technical school is to be established at Derby where training in carpentery and blacksmithing is to be given to boys, and where the girls are to be taught domestic science and dressmaking and, I suppose, hygiene as well. Some of these girls are today being trained as nurses, some as teachers, and others are serving in many useful positions throughout the State. I am quite sure that they need not suffer from any inferiority complex.

Of course, I still disagree with the Minister when he says that certain of these people are averse to applying for citizenship rights. They may be, but the more that do apply, the nearer will be the prospects of full citizenship rights being granted to all natives. Under existing conditions, I cannot see that any hardship is being imposed. There is nothing humiliating about applying.

The Minister for Native Welfare: Oh yes, there is.

Hon. Sir ROSS McLARTY: That is where the Minister and I disagree. I do not think there is anything objectionable about it.

The Minister for Native Welfare: About a person born in this country who, on attaining manhood, has to apply for the right to be regarded as a citizen!

Hon. Sir ROSS McLARTY: I have heard that argument of the Minister previously, but he knows that for generations the coloured population of this State have not been as nearly as progressive or up to the same standard of living as the white population. That disparity is gradually being overcome and coloured people are reaching nearer the standard of white men. But there are others who have not reached that standard. I agree they should all be brought to the higher standard as quickly as circumstances will permit.

All they are asked to do, if they think they should have citizenship rights, is to make application to a court. I meant to ask the Minister, and I may do so next week, what number of natives have received citizenship rights to date and what number have been refused. For the time being I can see no objection to moving along present-day lines until such time as full citizenship rights can be granted to all. I need not say very much more about the Bill. I am prepared to support it; I hope that the amendments which I shall move in Committee will receive the favourable consideration of members. They will certainly not be moved with the idea of embarrassing the Minister or of trying to make the Bill unworkable.

The Minister for Native Welfare: I am sure of that.

Hon. Sir ROSS McLARTY: I shall go into detail in Committee. Generally speaking, the Bill attempts to do something to uplift the status of the coloured population of the State, and I support the second reading.

MR. RHATIGAN (Kimberley) [3.9]: I wish to add my support to the Bill, and to endorse the remarks made by the Minister and the Leader of the Opposition with reference to the good work being done by the missions all over Western Australia and, for that matter, all over Australia. Most of the Government institutions have already gone over to the missions. In my district, two still remain. They are Moola Boola and La Grange. The sooner the inmates of those institutions can be cared for by a missionary body, the better will it be for them. I sincerely hope that it will not be long before the Government can finalise arrangements with the missionary bodies to take over the inmates of these two institutions.

There cannot be anything very contentious in the Bill because it merely repeals outmoded sections in the Act. As I see it, the Bill simply attempts to brush up the provisions of the Act and do away with those sections that have outlived their usefulness. The Bill does not seek to alter the status of a native. That remains the same, except that natives with citizenship rights must not have more than one-quarter native blood, otherwise they come within the scope of the Act.

No attempt has been made in the Bill to give natives the right to receive intoxicating liquor. The strongest objection was taken by the Opposition last year to the repeal of those two sections, both in this House and in another place. There can be no serious objection, therefore, to the provisions in the Bill. It is proposed to modify Section 10, which is the leprosy precaution section. This section is most stringent and prevents natives from travelling across the 20th parallel, even though they may be in lawful employment.

A special permit can be obtained to allow a native to cross the 20th parallel for the purpose of droving stock, but there is no mention of natives working on the main roads or on pearling luggers being permitted to cross that line. I am glad that the Minister intends to modify that section. I realise that it is most necessary to keep a strict control over lepers particularly those who have been discharged from the leprosarium and have to report to a doctor every six or 12 months. They should be confined to the district so that they can be in close proximity to the authorities. I do not share the fear of the Leader of the Opposition that there will be any repercussions from the relaxation of that section.

It is proposed to allow natives to obtain food and accommodation at hotels. This will be of undoubted benefit to both native and employer. I am aware of cases in the North where station-owners have taken native girls into their homes and trained them as nurse-maids. When the family goes to a town, it generally takes the nurse-maid. Invariably the people stay at the local hotel. At present the nurse-maid is not permitted to obtain food or accommodation at the hotel because she is not permitted to live on licensed premises, and generally she is sent to a native hospital or native camp for the duration of the stay.

There are many natives within the meaning of the Act working in shearing teams. When passing through a town they are not permitted to obtain food and accommodation at any hotel. Members might ask why do not these natives apply for citizenship rights. I would like to draw attention to the fact that no native under 21 years of age is allowed to apply for citizenship rights. On the application of the father, the name of his son who is under the age of 21 may be added to his certificate. How can a half-caste native under the age of 21, with a deceased white father and a native mother, hope to obtain citizenship rights.

Hon. A. V. R. Abbott: The commissioner can grant such a person citizenship rights.

Mr. RHATIGAN: He cannot.

Hon. A. V. R. Abbott: Are you sure?

Mr. RHATIGAN: I am positive.

Hon. A. V. R. Abbott: I thought he could because he is the guardian.

Mr. RHATIGAN: He can grant exemption, but there is a vast difference between exemption and citizenship rights.

Hon. Sir Ross McLarty: I have already said that I do not object to the provision to enable them to obtain accommodation at hotels.

Mr. RHATIGAN: I would like to see such persons as I have mentioned under 21 years of age, who do not frequent native camps, being given the opportunity to apply for citizenship rights. Several such cases have come under my notice, and there is no way out of the difficulty except by exemption. This may be granted by the Minister, but an exempt native may not cross south of the 20th parallel. The existing Act is being breached every day by the department in bringing girls down from the North to Alvan House, and it is time the matter was put in order.

The Bill, on the whole, represents a step in the right direction. I ask members to give consideration to the future. As I see it, the work of the Department of Native Affairs is similar to that of the Child Welfare Department, and I envisage the day when both of those departments will be amalgamated. With the abolition of the permit system, the wearisome job of filling in permits and medical fund returns will disappear. Departmental officers are stationed at places like Geraldton and Kalgoorlie, and I believe that the work of the two departments could be combined, with a consequent saving to the Government of many thousands of pounds.

Further assistance will be needed for missions. When the Department of Native Affairs was established it was made responsible for the control of native hospitals and for the employment of a travelling doctor. At present, the Health Department is responsible for the hospitals, so that work has been unloaded by the Department of Native Affairs on to the Public Health Department. Stations were opened at Carrolup, De Grey, Moore River, Cosmo Newbery and other places, but this work previously done by the department is now undertaken by the missionary bodies, and the Education Department is responsible for the education of the children.

Mr. Yates: Are medical facilities in the North adequate for the natives?

Mr. RHATIGAN: Over the past few years, they have been improved considerably. However, I still favour the idea of a travelling doctor. With the flying doctor and the placing of two doctors at Derby, the facilities have been greatly improved. Further, the native hospitals at Port Hedland, Derby, Broome and Wyndham are gradually being improved. I leave that suggestion for the amalgamation of the two departments in the minds of members because I believe it is worthy of consideration. I see no reason why the two departments should not be worked as one. I support the second reading.

MR. McCULLOCH (Hannans) [3.19]: I support the second reading of the Bill, though it contains one or two features that I do not like. I cannot understand why the Minister should have departed from the line that he adopted last session. The other States of Australia refer to "aborigines," but here the measure is a native welfare Bill. My opinion is that this not not a Bill at all. I consider that we should all be on the same footing, whether black, white or brindle. What right have we to say to the original inhabitants of this country what they shall do and what they shall not do? Some people say that the whites have the education and therefore should direct the others. That is all hooey. Had the natives been left in control of the country, the country would have been just as good as it is today, and probably better.

Mr. Yates: Nonsense!

Hon. L. Thorn: They could not have developed it.

Mr. McCULLOCH: Other countries controlled by natives are just as good as this one.

Hon. Sir Ross McLarty: Which?

Mr. McCULLOCH: Take Malacca. The Indonesians have control of the Malaccans, but where the natives are controlling other islands in the group, they are doing things better than the Indonesians can do them. A little band of Englishmen landed here and took control of this country. How do we know that they were Englishmen? There is too much of the feeling that certain individuals can do certain things whereas the people native to the country can do nothing.

Hon. A. V. R. Abbott: You believe in unnaturalised people having the vote?

Mr. McCULLOCH: I am not talking of votes or of unnaturalised people. The natives of this State are naturalised because they belong to the country. What right have we to say that we shall give them full citizenship rights, when they belong to this place? This is the only country I know of where such restrictions, even those proposed in this Bill, are imposed upon the native inhabitants of the country.

Hon. A. V. R. Abbott: You are quite wrong there.

Mr. McCULLOCH: Will the hon. member tell me of another country?

Hon. A. V. R. Abbott: Africa.

Mr. McCULLOCH: Not at all. The member for Narrogin could tell the hon. member otherwise. There is talk about segregation in Africa, but that has nothing to do with the privileges and freedom that the natives have. In England there are no restrictions against coloured people. I have a cutting from the paper "John Bull," dated the 15th May, 1954. It is an editorial headed "Sign of Sanity," and states—

> This Thursday, Mr. Albert Hoodith is making history. He is standing in the municipal elections as a Conservative candidate for Wythenshawe, Manchester.

Conservative, unfortunately!

> He is 36, a tailor, and has three children. What makes him so important is that he is coloured, and no coloured man has ever been a Conservative candidate before.
>
> Thus the colour bar is broken still further and another victory is won over prejudice.

The trouble is that we are prejudiced against the natives.

> It is part of a steady progress in Britain. Mr. Hoodith says: "I find that coloured people are now being accepted in the main as part of the British nation without regard to the shade of their skins."

I agree with him.

Hon. L. Thorn: That has nothing to do with this Bill.

Mr. McCULLOCH: That difference is due to the conditions imposed upon these people here.

Hon. A. V. R. Abbott: Nothing of the sort.

Mr. McCULLOCH: Quite a number of our people are illiterate. The extract continues—

> A negro doctor adds: "When I first came to England in the 1930's, I never asked a stranger the way because the chances were that I would be snubbed. The odds now are that the stranger will not only show me the way, but walk along with me to make sure I understand."
>
> All the professions are open to coloured people. There are successful doctors, dentists and barristers. A negro is a senior civil servant in the Inland Revenue office. There are many successful engineers and businessmen.
>
> When there is a clash between tolerance and prejudice, common sense usually wins. This happened in Birmingham earlier this year when the corporation transport committee asked bus men and women to ballot on whether they were willing to work with coloured men.
>
> But the workers refused to have anything to do with the ballot. Shortly afterwards, the committee announced that anyone suitable would be hired as conductors—including coloured folk.

So I say that coloured people are able to take their place with the whites provided they get the same education and are not kept down as we have kept the natives down over the years. If we gave them the same opportunities as white people enjoy, they would be every bit as intellectual as ourselves and, in some instances, better.

Hon. L. Thorn: If the whites had not come here, they would not have received education.

Mr. McCULLOCH: How does the hon. member know?

Hon. L. Thorn: A lot of them went to the Old Country to receive education.

Mr. McCULLOCH: I notice that the Minister has included in this Bill the restriction against natives as regards liquor. Can the member for Mt. Lawley tell me that natives are not allowed to drink in the public bars of South Africa?

The Premier: No answer!

Hon. A. V. R. Abbott: You know very well that they are not.

Mr. McCULLOCH: The hon. member does not know.

Hon. A. V. R. Abbott: Yes, I do.

Mr. McCULLOCH: I say they have the same rights.

Hon. D. Brand. What about New Zealand?

Mr. McCULLOCH: Because one or two natives may do something wrong, we should not punish the lot. I do not believe in collective punishment. If an individual does wrong, punish him by all means; but do not penalise the lot.

Mr. Wild: Is a native in South Africa permitted to drink the same liquor as is a white man?

Mr. McCULLOCH: Yes.

Mr. Wild: Then you do not know what you are talking about.

Mr. McCULLOCH: That was the position 40 years ago.

Mr. Wild: I do not care about what happened then. Today a native is not allowed to drink the same liquor as is a white man.

Mr. McCULLOCH: What does the hon. member mean by "the same liquor"?

Mr. Wild: Liquor of the same alcoholic content.

Mr. McCULLOCH: An alteration must have been made since I was there.

Mr. Wild: You are out of date.

Mr. McCULLOCH: Forty years ago natives were permitted to drink in the same public bar the same liquor as the whites, the only difference being that there was a screen between the two.

Mr. Wild: You want to read a little about it.

Mr. ACTING SPEAKER: Order!

Mr. McCULLOCH: As I have said, the liquor was the same, but the only difference was that there was a screen in the bar separating the whites from the natives. It has been said in this House—the Leader of the Opposition has admitted it—that there are in this country some very useful natives who do jobs that the white man will not undertake.

Hon. Sir Ross McLarty: Such as?

Mr. McCULLOCH: They do all classes of work in the north of this State where many white men will not go. In that part of the country they are working under the various awards as drovers, shearers, railway and road workers and so on. Of course, there are some white men in those classes of employment in the North, but not too many. Some years ago I saw the police chasing the natives out of Kalgoorlie and into the bush. That illustrates the feeling of many people towards the natives, but what way is it to deal with any human being?

I believe the natives should have freedom of movement the same as the white man has. Of course, in the case of disease, both white and black are in the same category because it is necessary then to restrict the movement of the individual. Apart from that, everyone in this country should have the same freedom. Unfortunately, because a man in this country has a coloured skin he is not allowed to leave his job without the permission of the boss.

Hon. A. V. R. Abbott: Skin has nothing to do with it.

Mr. McCULLOCH: Does not the legislation make provision that a native cannot leave his job without the permission of the boss? I do not think the hon. member has read the Bill.

Hon. A. V. R. Abbott: But you are talking about skins.

Mr. McCULLOCH: A white man can leave his job without the permission of the boss but the native cannot because his skin is of a different colour.

Hon. A. V. R. Abbott: Rot!

Mr. McCULLOCH: Then what is the reason?

Hon. A. V. R. Abbott: It is because of his education.

Mr. McCULLOCH: That has nothing to do with bodily labour. I know men who cannot write their own names but can do a good hard day's work.

Hon. Sir Ross McLarty: How many natives have been prosecuted for leaving their jobs without the boss's permission?

Mr. McCULLOCH: That applies to them.

Hon. Sir Ross McLarty: Then we will agree to wipe out that provision.

Mr. McCULLOCH: I notice that the Leader of the Opposition has on the notice paper an amendment to delete a certain paragraph the effect of which is that if a protector of natives gives a direction that a native is to be transported to a hospital for attention—

Hon. Sir Ross McLarty: No.

Mr. McCULLOCH: It is on the notice paper.

Hon. Sir Ross McLarty: Look at it again.

Mr. McCULLOCH: The amendment is to delete the word "or" in line 37 of Clause 39, which would mean that the other clause would go out.

Hon. Sir Ross McLarty: No, look at the Bill also.

Mr. McCULLOCH: I have looked at it. According to the notice paper the amendment is to delete the word "or" as I have said.

Hon. Sir Ross McLarty: No, that is not its effect.

Mr. McCULLOCH: Then I must have misunderstood it. That is how I read the notice paper. Fortunately this Bill seems to be receiving more sympathetic consideration in this Chamber than was given to a previous similar measure. Notwithstanding the fact that it still contains

certain restrictions on the natives, the measure may be a step in the right direction. As I said initially, in my humble opinion there should be no need for legislation such as this at all. We have heard a great deal about the Atlantic Charter and human rights and I believe in all human beings having the same rights and freedoms. If any individual does wrong he should be punished in accordance with the law, irrespective of the colour of his skin.

I hope the Bill, when it leaves this House, will receive favourable consideration in another place because no doubt it is a step in the right direction. I hope that when passed it will result in some uplifting of these people who are deserving of everything that we can do to make their lives more bearable. Surely we should cease to degrade them to a state where they have to apply for a permit to do all sorts of things in their own country! Were I one of them, my dignity would not allow me to ask for a permit to do certain things in the country in which I was born and for which I fought.

Hon. A. V. R. Abbott: Do you not have a permit to drive a car?

Mr. McCULLOCH: The native also has to obtain a permit to drive a car, but there is no comparison there.

Hon. A. V. R. Abbott: I thought you would be too proud to get a permit to drive your car.

Mr. McCULLOCH: That is silly. I know that the law requiring me to obtain a permit to drive a car applies to all white men, and I am referring to the restrictions that apply only to coloured people.

Hon. A. V. R. Abbott: But you are a white man.

Mr. McCULLOCH: The coloured man should be given the same freedom and facilities as are available to white men, without having to apply for permits. Notwithstanding the fact that I disagree with certain of the provisions of the Bill, I support the second reading.

Mr. MANNING: I move—

That the debate be adjourned.

Motion put and negatived.

HON. A. V. R. ABBOTT (Mt. Lawley) [3.39]: I believe the Minister was right in describing this measure as being of major importance. If we trace back the history of native administration in Western Australia, we find that, right from the beginning, the main thought in the passing of our native legislation was for the protection of natives. If I remember rightly when Responsible Government was granted to this State, the Colonial Office desired, at first, to reserve the native question as outside the legislative powers of the State, but there was strong objection taken to that and it was passed over. I repeat that all the native legislation in this State had in view the protection of natives.

The existing Act was apparently passed in 1905. I do not know how much of it was then original but apparently there was a completely new proposal submitted to Parliament and passed at that time. Since then some amendments have been made to the legislation but the Act as a whole has not been dealt with and I think it is time that was done. A vast change has taken place since that day in many respects and the education of our natives has progressed very much. We have now some natives who are well educated and who, in my view, should be able to exercise full citizenship rights just the same as any other citizen of the land.

The Minister for Justice: Do you think they should automatically have those rights?

Hon. A. V. R. ABBOTT: Yes, as regards the natives of the class to which I am referring, but, on the other hand, it would be absurd to say that a native in that category should be treated in the same way as a bush native in the Kimberleys who may never previously have seen a white man and who still clings to his primitive tribe and its ways. There are such natives—

The Minister for Justice: I think there would be very few, if any.

Hon. A. V. R. ABBOTT: There are probably more of them than we think. There are a considerable number of natives living closer to their original way of life than to the way of life of the average suburban citizen, and there is a tremendous distinction between the two. The native in the South-West lives a life, to my way of thinking, very little different from that of the average dweller there, except in cases of extreme poverty.

The Minister for Justice: Some of the finest people I have ever known were natives in their primitive state in the back country, around Lake Way and in other parts of the State.

Hon. A. V. R. ABBOTT: I am saying nothing against the principles or discipline of the natives, which we know are very high although perhaps to our way of thinking their tribal laws are cruel. We know, nevertheless, that those tribal laws served them well for countless generations.

Mr. May: And some of them were very effective, were they not?

Hon. A. V. R. ABBOTT: Perhaps. I think it must be admitted that we have to deal with a great many classes of natives and I feel it is a pity that completely new legislation was not submitted to the House to enable distinctions to be made according to the district of residence of the native. I see no reason why a native in the South-West should not have all the rights and privileges of the average resident in that part of the State—

The Minister for Justice: Why not at Meekatharra?

Hon. A. V. R. ABBOTT: Perhaps it would apply there also. I merely gave an example. The matter would require careful consideration and a thorough classification of the natives, but what would apply to natives in the south of the State could not be applied reasonably to natives in the Kimberleys, for instance, because there they have not advanced sufficiently far not to require greater protection than is necessary for the native in the South-West who has been brought up and educated at a mission and treated as an ordinary citizen. On the other hand, it might be unfair to similarly treat a native living in the Kimberleys who is not advanced in education and experience.

Sitting suspended from 3.46 to 4.6 p.m.

Hon. A. V. R. ABBOTT: I was suggesting that it would have been wiser for the Government to introduce a Bill replacing the existing Act, and was pointing out that one of the reasons for this was that different classes of natives, who live in different districts, require varying treatment. I cannot see how we can apply to an educated native in the South-West provisions that are suitable for a Kimberley native. It is a pity that the course I have suggested was not adopted.

For instance, we might have experimented in districts where natives have been in contact with town life for some time. We could have applied to them the ordinary laws that are applicable to the average citizen, including the liquor laws. Then we could have applied another part of the Act to natives further north, giving them certain rights and liberties and certain protection, but excluding them from full rights with regard to liquor. We could have extended other provisions to natives further north still—those who have not been in contact with civilisation as we know it, and who need much more protection. We could have had a third part of the Act which would be applicable to such natives.

There is, for instance, the permit to employ natives. I do not think that that is required for natives who have had some experience of, and contact with, whites; but I am not sure that a permit to employ, which was devised for the protection of natives, should apply in the Kimberley district. There again, I consider that the provisions of the Workers' Compensation Act should have application to natives employed in the same manner as the average citizen; but the provisions of that Act are not properly applicable to some of the Kimberley stations, where there may be up to 100 natives, all of whom may be given employment at times. Even the women and children assist in mustering.

It must be realised that if we make it too difficult and too onerous to employ natives, it will be to their detriment. If it is made too hard for the natives to earn a living—I am talking of the natives who have not had a good education—

Hon. Sir Ross McLarty: I am not sure that you are talking to anyone. Where is the Minister in charge of the Bill?

Hon. A. V. R. ABBOTT: I am talking to the Premier. He is listening attentively.

The Premier: The Minister is at the Education Department saying farewell to an officer who has rendered great service to the department and the State.

Hon. Sir Ross McLarty: Then you should have agreed to adjourn the debate.

Hon. A. V. R. ABBOTT: It would have been advisable to introduce a Bill different parts of which would apply to different districts. Take the case of a station on which there are 50 or 60 natives who are being supported by the owner, for which support they may render some small service. They would not be employed in the ordinary way.

Suppose, for instance, some house cows strayed. The station overseer, who might be a native, would be quite likely to tell his gin to look for them and she would probably do so with more success than he would achieve. If she received some recognition from the station-owner by way of being supplied with food, she might be deemed to be an employee and to come within the provisions of the Workers' Compensation Act. That sort of risk would be difficult to cover. I consider that natives in the North need more protection than would be given to them by this measure, and those of the south should have more liberty than is being provided for them. It would have been better to devise a comprehensive measure to deal with this situation.

Now I come to matters that were not fully mentioned by the Leader of the Opposition, and I would like the Premier to make a small note of these points to pass on to the Minister. Under Section 69, there is a regulation which provides for "regulating the payment of wages payable to natives under agreement." That was inserted while the permit conditions were in the Act; but as all natives are to be employed freely, I do not think that provision is applicable now. Natives should be subject to the ordinary provisions of the Industrial Arbitration Act. The commissioner should not have power to regulate the payment of wages payable to natives under agreements.

Secondly, paragraph (i) of Section 69 reads as follows:—

> Providing for contributions by natives whether in a native institution or elsewhere to a fund for the

general welfare and relief of natives; and for the establishment, management, and control of such fund . . .

It is proposed in the Bill to strike out the words "whether in a native institution or elsewhere." The provision will then read—

Providing for contributions to a fund for the general welfare and relief of natives. . . . .

I do not know who is to provide the contributions. I think some consideration might be given to that matter. I do not know whether regulations could be made providing for contributions by any employer of a native. It might be that that power is given. The Minister might give some thought to clarifying the situation. With these comments I support the Bill.

MR. MAY (Collie) [4.15]: I spoke on the previous natives Bill, and I want to say now that, irrespective of anything that has been accomplished in connection with the native problem of the State and in spite of anything that may be contained in the Bill, we must acknowledge that to date the white people have not done the fair thing by the natives, who have always been, more or less, a race despised by the white people. No sustained effort has been made to make the position any different.

As a matter of fact, history proves, so far as this State is concerned, at any rate, that the whites have always taken advantage of the natives in every possible way—and I mean in every possible way. For that reason, and as a result of that attitude, another problem has arisen, namely, that of the half-castes. This problem does not show the whites to advantage. What has happened through the ages is something of which the whites should be very much ashamed. As a result of the half-caste, not only have we the native problem, but the half-caste problem. We all realise that the Department of Native Affairs has done its utmost to do the right thing by the people in whose interests it has been created, but I feel that we are inclined, through legislation, to try to regiment these people too much. What is required, in addition to any legislation that we may enact, is the touch of human understanding in connection with this very difficult problem. I notice that where the natives have come fairly closely into contact with the white people, they are inclined to become somewhat different from those who are in the outback and so do not come so much in contact with the whites.

This leads me to the belief that if we as individuals endeavoured to understand the problems of the natives, we would accomplish much more than we are ever likely to achieve through legislation. I want to refer to the movement that is being developed in the district which I represent. We have there certain full-bloods who have been employed in the timber mills. Not all of them have stuck to their jobs, but some have, and as a result they have come so much into contact with the white people that they have developed, in regard to their employment, at any rate, the habits of the whites, more or less.

To such an extent has that occurred in Collie and the surrounding districts that some of the people there took action to build two houses—this was all done voluntarily—in order to see how the natives would respond if they were given the same kind of dwellings as the whites have. I am happy to say that the two families who were selected to occupy these houses have, to a large degree, given satisfaction to the people who were responsible for the erection of the dwellings. I went one Sunday night to visit them. I did not know I was going until I was asked whether I would like to go and see them. The occupants of the houses did not know we were coming, and had not prepared in any way for our reception.

I did not go out with the idea that I would walk into a house the same as I or other members have, but I will say that there was a distinct difference between the manner in which those people were living and the way they would have been existing had they still been in the native camp. It was evident from every room we went into that they had made efforts to copy the habits of the whites. I feel sure that as time goes on, these two families will continue in their efforts to imitate the white people so far as living in their dwellings is concerned.

To such an extent have the efforts of the people in Collie been successful that it has been agreed by both the employers and the employees of the coalmines that two selected natives shall be given employment in the mines with the idea that if they stick to their jobs and prove successful, they also shall be accommodated in dwellings similar to those I have already mentioned. In these particular instances the attitude of the people of Collie to the native question is, I think, the right one.

How many efforts can any member here refer to where as much has been done to help change the mode of living of our natives. I know that in certain matters the natives are protected through the Department of Native Affairs, and we have our missions, but we have to get away from the departmental or institutional style of trying to persuade these people to leave their old ways of life and more or less adopt those of the white people. At times the efforts made to assist these people prove to be somewhat disheartening.

About three weeks ago a full-blood native in Collie was given citizenship rights. He received these rights on a Friday at the

court house, and on the Saturday he overindulged and was picked up by the police. On the Monday morning the magistrate said to him, "Why did you break the law on Saturday after receiving your citizenship rights on the Friday?" The fellow looked at him and said, "I was so happy, Sir, at being made a real Australian with the same rights as the Australian people, that it went to my head and I admit that I did have more drink than was good for me." I am interested to see what happens to that man from now on. He made a clean breast of it when he was asked by the magistrate why he had taken the extra drink, and to that extent, at any rate, I feel we have made some impression on him. He admitted that he was so happy about getting his citizenship rights that he had under the belt two or three more than were good for him. After all, is not that typical of the whites? How many people do we know of who have experienced some happy event and have immediately gone off to celebrate?

Hon. A. V. R. Abbott: He was quite pleased to get his citizenship rights?

Mr. MAY: Yes, and very proud. I believe that had he not mixed with certain white people on the Saturday, he would not have been in the position in which he found himself on the Monday, before the magistrate.

Hon. A. V. R. Abbott: What did the magistrate do?

Mr. MAY: Nothing. He told him not to let it happen again. The magistrate dealt with the matter in the same spirit as the fellow did when he stood up in the court ready to take what was coming to him.

Hon. A. V. R. Abbott: There was nothing wrong with that, was there?

Mr. MAY: No, nothing at all. We should try to understand these people more than we have in the past. Have we made any effort to do this? I do not think we have. I am proud that certain people in Collie have taken the matter seriously inasmuch as they are prepared to give the natives employment, and the employees are prepared to work with them. What is more, if the natives prove amenable to that kind of life, then the white people are prepared to build houses in which they can live and rear their families in the same way as we do.

I commend very gladly to members the idea for helping these people that has originated in Collie. We should be grateful to any community of white people that is prepared to give their time, labour and anything else they possess, to alleviate the conditions of these people that we profess to be so concerned about, but for whom we have done very little in the past. These white people are to be commended for the worthy actions they have taken at Collie. They have made an effort to do something for those natives who are congregating in and around Collie. I support the Bill.

On motion by Hon. D. Brand, debate adjourned.

BILL—LOCAL GOVERNMENT.

Second Reading.

Debate resumed from the 23rd September.

HON. A. F. WATTS (Stirling) [4.32]: While this, of course, is essentially a Bill which will be dealt with to the best advantage in Committee, I propose to make some considerable comment upon it at the second reading stage, partly with the object of foreshadowing to the Minister what he may have to contend with in Committee at least to some extent, and partly to indicate to other members that while I propose to support the second reading, there are a number of reasons why considerably more attention should be paid to some of the paragraphs of this measure than the Minister apparently thought desirable or necessary in his opening speech.

It is true, as he said, that the question of a Bill or an Act to deal with local government under one statute has been on the stocks for a number of years. I believe it is approximately 30 years since the demand for such a measure first became apparent. At various times various Ministers in various Governments have taken steps to do something about it. In no case, I think, did any measure reach Parliament for consideration as a local government Bill to embrace the activities of all local governing bodies in Western Australia until 1949 when a measure was introduced to this Chamber by myself, on behalf of the then Government.

In his speech the other night the Minister observed that he thought that Bill had a fairly rough passage and that only a few clauses had been dealt with when the Bill was dropped. The actual circumstances were that the Bill, accompanied by an explanatory memorandum, was introduced during the early part of the 1949 session—I think during the month of June—and was spoken to by a small number of members other than myself, the first being the present Premier who was then the acting Leader of the Opposition. That hon. gentleman did not make any great attempt to analyse the measure, but he said a number of things, some of which I propose later on to quote with approval because I think they have singular application to the Bill which is before the House, even more than they had application to the measure with which he was then dealing.

After that there were two or three speeches by other members. The then member for Perth, Mr. Needham, proposed

to move to refer the Bill to a Select Committee, and a motion was moved by the then member for Irwin-Moore, now the member for Moore, that the second reading be postponed until a joint committee of both Houses had had an opportunity to review the measure. That amendment was put to the vote of the House and defeated, the curious part about it being that it was supported by almost all the supporters of the Government at that time, and opposed by all the members of the Opposition, plus the two Independents and plus, I think, two supporters of the Government. So it was defeated by 23 votes to 19.

After that the then Leader of the Opposition, Hon. F. J. S. Wise, passed some comment on the desirability of the Bill being further inquired into and finally, on my recommendation, and in view of the obvious misunderstandings which existed with local authorities in regard to some aspects, and the desire to reach some semblance of agreement at least with the majority of local authorities, the Bill was referred to a Royal Commission. That Royal Commission was duly appointed and presented its report; which report was practically a unanimous one. It is on record among the papers in the House for all members to see if they wish. The Royal Commission recommended a number of alterations to the measure, and steps were taken to have it redrafted and presented to Parliament.

It was quite obvious, however, in my opinion—and by that time I had ceased to be the Minister for Local Government—that it would not be possible to pass it in one session through both Houses, as the law provides that if either a general election of the Assembly or a biennial election of the Legislative Council should intervene between its passage in one House and its presentation or passage in the other, it has to start de novo. So it became increasingly difficult, because of drafting and constitutional problems, to bring it before Parliament.

But now we have an excellent opportunity of dealing with it because it has been introduced in this House reasonably early in the session. There is no prospect of either a general election of this Chamber or a Legislative Council biennal election taking place within the next 12 months, and in consequence, there should be ample time both for the passage of the measure through this House, its reprinting with whatever amendments are made to it, and its reinstatement in the Legislative Council next session so that it might, we hope, in an amended form, go upon the statute book before the end of next year.

I do not think the Minister intended to convey, by his remarks on this aspect of the matter, what struck me in the first instance when I read the transcript of his speech, because he seemed to indicate that he was in such a hurry to get the Bill to another place that he would assume it would be passed here without amendment so as to save the delay of two months, at least, which would be occasioned by the necessary redrafting, cross-references and reprinting, and the expenditure of £2,000 which he said would be involved in the reprinting. On more mature consideration of the Minister's observations, I came to the conclusion that he was merely expressing a pious hope and one which I can assure him—as far as the moving of amendments is concerned—is not likely to be realised.

The reasonable course for the Government to have pursued in regard to this measure would, I suggest, have been to submit it to Parliament at least with nothing in it directly contrary to the recommendations of the Royal Commission, which recommendations were arrived at after exhaustive evidence given by persons wholly experienced in local government, and including such men as Councillor Beadle, of the Perth City Council, Mr. Buller, chairman of the Bruce Rock Road Board, and Mr. White, assistant secretary for local government, as well as others, who had assessed the opinion not only of local authorities but also of representative citizens and who had made certain—though not very numerous— clear and definite recommendations.

In the course of his remarks on this measure, the Minister observed that the Bill had followed closely the recommendations of the Royal Commission, with a few exceptions.

Hon. D. Brand: Marked exceptions!

Hon. A. F. WATTS: The few exceptions, which I think he numbered as five, were the major points upon which the Royal Commission dwelt. The balance of the recommedations were comparatively minor in character and very short in phraseology, but those which the Minister lightly skimmed over, in the speech which he made on this subject last week, were those upon which the Royal Commissioners, after very careful inquiry, had expressed the most definite opinions, and I propose in due course to deal with some of them.

Before I do that, it may be as well to make clear my position in regard to this measure generally. I believe it should be put upon the statute book in a form which, as I said, would closely approximate the final recommendations of the Royal Commission. It may be assumed that, as the Royal Commission's report was well received by local authorities and others interested at the time of its publication, and has not been the subject of complaint or representations to any degree since that time, it was more or less unanimously acceptable to the persons concerned in local government in Western Australia.

Is it not the duty of Parliament in this instance—and bearing in mind the very important share which local government

takes in the administration of local affairs in this State, and elsewhere for that matter, as what we might call the third arm of government—to endeavour, unless there be some transcendent and acceptable reasons to the contrary, to arrive at a state of affairs in which there will be universal, or almost universal, acceptance of the principles that are contained in the statute?

I am better pleased, however, when I realise that I should have the whole-hearted support of the Premier in this matter because, when he addressed himself to the second reading of the Local Government Bill in 1949 he said, among other things as reported at page 297 of "Hansard" of that year, the following:—

> I have received communications from several local authorities setting out their views of the measure and giving, in some instances, listed amendments that are not only formidable in extent but also almost overwhelming.

Before I pass on to the remainder of the statement which he made at that time, I would like to say that I have seen, addressed either to myself or to those who sit with me on these benches, no less than 59 communications from local authorities protesting—in no uncertain voice, if I may use that term—against certain of the provisions of this Bill which are contrary to to the Royal Commission's recommendations.

Hon. D. Brand: They have now been joined by the Farmers' Union.

Hon. A. F. WATTS: They have, as the member for Greenough says, now been joined by the Farmers' Union. But I prefer, for the moment, to adhere to the 59 local authorities which have addressed themselves to the several members of this party. They have not displayed in any degree the slightest intention to compromise on the major subjects which I have mentioned and to which I will refer later. So we have many instances; not just some, as the hon. gentleman had in 1949. However, I will quote him a little further because his remarks are more in line with my own thoughts on the subject. On page 300 of "Hansard" of that year, he said—

> If there is one Bill upon which the Government and the people most concerned should reach almost unanimous agreement, it is one dealing with local government authorities.

Hon. Sir Ross McLarty: Who said that? The Premier?

Hon. A. F. WATTS: The present Premier when he was Acting Leader of the Opposition.

Hon. Sir Ross McLarty: That is why he is putting in the provision for adult franchise!

Hon. A. F. WATTS: He went on to say—

> Surely the measure of agreement that will be arrived at by the Government accepting these suggested amendments could have been reached before the Bill was finally presented to Parliament.

With those sentiments I am in substantial agreement. I have already said that I believe there was the stage—and today could still be the stage—where almost substantial and complete agreement could have been reached if the report of the Royal Commission had not been departed from in this Bill. It was in an effort to reach that agreement, of course, that a recommendation was made to submit the Bill to a Royal Commission.

I do not think for one minute that there is the slightest prospect of this measure being accepted in its present form by the local governing authorities concerned. Of course, in the 1949 measure there was some controversy on the effect of what was the partial amalgamation of the Road Districts Act and the Municipal Corporations Act. It was alleged by local authorities that, in consequence, many more restrictions had been placed on local authorities and more ministerial consents were required.

There were many protests in that direction. That was because, to a degree, some local authorities did not know what ministerial powers there were in the existing statutes which governed their operations. These ministerial powers had been used so rarely and carefully over the long period of years that the statutes were in operation that some local authorities were not aware that they existed. On page 5 of its report, the Royal Commission disposed of the matter by saying this—

> Although a number of the requests made actually involve an increase in ministerial control, and one or two giving evidence stated that they were not concerned over this aspect, practically all those representatives of local authorities who gave evidence objected very strongly to the degree of control which the Bill provides.
>
> We are quite satisfied that there was no ulterior or sinister purpose behind the apparent increase in the powers to be possessed by the Minister or Governor. We are of the opinion that the trouble was due to the fact that the more modern Road Districts Act has been used instead of the older Municipal Corporations Act. This Act having been accepted as the more recent expression of the opinion of the legislature, the local authorities, and the public, apparently, the Committee did not eliminate from provisions culled from the legislation of other States those ministerial controls which existed therein. Moreover, as some of the new

> powers to be exercised by local authorities are somewhat novel and are capable of being very widely interpreted, the Committee apparently felt that, during the "experimental" stages at least, some control would be necessary. Possibly, if they had been drafting an entirely new Bill instead of merely amalgamating the two main statutes, the members of the Committee would have given more attention to the question of whether or not the controls included were all necessary or desirable.

Since the Bill has been presented—already it has since been reprinted in an amended form—I have had a pretty good look at it, but it is of such magnitude that it is rather difficult to completely orientate one's ideas on it. However, I say, without fear of contradiction, that although there has been ample time to draft a new statute and to make complete changes therein in the past three and a half years, the number of ministerial controls and powers held by the Governor have by no means been decreased. I do not altogether consider that to be objectionable.

My experience as a member of a local authority, as a member of Parliament and as Minister for Local Government for a time, has been that these powers have been used with the greatest discretion by all Ministers of the Crown, and that, in the main, they are necessary and desirable. However, there are one or two in this measure to which, when the proper time arrives, I propose to take some exception. One of the first objectionable features of this Bill is the provision for adult suffrage. The ratepayer, as such, will virtually cease to exist as a part of a local authority.

Hon. D. Brand: He will be the fellow that puts in the money.

Hon. A. F. WATTS: It is true that there is provision for the calling of ratepayers' meetings and the passage of resolutions. I should think that that is a relic of the time when the legislation contained some provision other than adult suffrage. In other words, when it contained provision for ratepayers and occupiers to constitute the voting strength of a municipality. When the adult suffrage provision was agreed upon—apparently as part of Government policy—they either forgot to take out or alter the reference to ratepayers' meetings or decided to leave it there as some kind of sop to the ratepayer.

But these ratepayers' meetings will have as much effect upon the function of the municipality as if they were not held. Everybody knows now—and the Act says nothing to the contrary—that a resolution passed at a ratepayers' meeting is only a recommendation to the local authority and does not bind it in any way. Under this system of adult suffrage, as there may be no ratepayers on the council, one can readily imagine the attention the council would be likely to pay to a resolution, which would be completely ineffective, passed at a ratepayers' meeting. That is what will be the position.

The Bill provides that the electors for the district are going to be persons who are over the age of 21 years; are natural-born or naturalised British subjects, and have resided in the district for six months. Whatever there may be to commend that provision in regard to all types of parliamentary elections—there are definitely some sound reasons to commend it in respect of some of those elections at least—I suggest there is nothing to commend this proposal in regard to local government.

Whether one believes that the existing franchise should be extended or not, whether one believes that all those who contribute in any way directly to the revenues of the local authority—even otherwise than through rates—should be entitled to the franchise, one cannot justify in regard to local authorities the inclusion of those persons who make no contribution, and can make no contribution whatever in the circumstances of this Bill, and say that they should form, under certain conditions, the whole of the members of the municipality.

Nor is there anything whatever in the Royal Commission's report to support this proposal; nothing whatever. After setting out the existing law in regard to the Municipal Corporations Act and the Road Districts Act, the commissioners set out the provisions of the Bill that they then had before them, which were:—

> That the owners and all occupiers who claim the right are entitled to vote. The spouse of a resident owner is entitled to be registered as occupier.

They went on to quote the opinion of the local authorities and ended up by giving this recommendation:—

> In view of the conflicting opinions given, we recommend that separate provisions be made to cover the two differing viewpoints; that the present provisions in the Bill be continued so far as cities and towns are concerned, but, with automatic enrolment of occupiers in those districts which desire this; that provisions along the lines of the Road Districts Act be made for the election of councillors and president, in the existing road board; that power be given to the municipalities to change from one system to the other; that plural voting be limited, as in the present Road Districts Act, to four votes, and representative voting restricted also; that the owner as well as the occupier shall be entitled to be enrolled, but that apart from

those councils which desire this to be automatic, the occupier should be required to make an application, which would then entitle him to be on the roll until displaced by the application of a successor or by an objection.

We realise that the suggestions for enrolment of both owners and occupiers will call forth somes objections, but we would point out that in most country districts the owners are also the occupiers, while in cities and towns the owners who are not also occupiers are a relatively small proportion of the total owners, hence we consider that the principle laid down by the Bill might well be continued.

As I have said, the principle laid down by the Bill was that the owners and all occupiers who claimed the right were entitled to vote. The commission suggested that occupiers should be enrolled and that this should be automatic. I have no great objection to that. The Bill of 1949 also suggested that the spouse of a resident owner was entitled to be enrolled as an occupier. There we have a state of affairs where the people who are primarily responsible for paying the piper would have the substantial right of calling his tune.

In this measure we have something that is quite contrary to the recommendations of the Royal Commission and, in my opinion, unnecessary in regard to local government, whatever may be said for it in regard to parliamentary elections Before I pass from this subject I would like to quote a letter which I mentioned as having been received from the Farmers' Union of Western Australia under date the 28th September, 1954. It reads as follows:—

Local Government Bill.

The proposal to allow adult franchise in conection with local government elections is opposed by this union. Consideration was given to this matter at a meeting of the general executive some time ago when viewpoints submitted by our branches were examined. It is felt that there is no justification whatsoever in extending the franchise to all adults whose only qualification is that they have resided in the area for at least six months. If the proposal is approved by Parliament it could easily be that the majority of electors in most road board areas would be those who make no contribution to the board's finances and yet could have the deciding voice in how the ratepayers' contribution should be spent. It may be argued that because adult franchise is allowed in Legislative Assembly elections the same privilege should be extended in local government elections. But this argument has no force because everyone who is on the parliamentary roll in addition to making some contribution by way of indirect or direct taxation into Government funds can as a citizen be called upon to discharge certain duties to the State and is accordingly entitled to the right to exercise a vote. On the other hand, a road board cannot call upon the individual to discharge such duties and the extension of the franchise to non-ratepaying adults gives them the right of a voice in the expenditure of moneys to which they have made no contribution. Many of the people in this category are migratory and have no real interest in the district in which they reside.

Road board membership could ultimately consist entirely of non-ratepaying members and the consequence of this must eventually be a total disregard of the interests of primary producers and other ratepayers, and no say at all in the expenditure of money which they provide.

There is no doubt that that is a fair summing up of the position. There has been nothing to justify the very substantial departure from the recommendation of the Royal Commission, and I must say that I will do my utmost to have that proposal amended.

The next provision that is going to be the subject of argument, and which has evinced considerable hostility from local authorities, is that both the mayor and the president should be elected by the electors. I do not think the hostility arises from the fact that the elector is the wrong person because he is going to be an adult voter only; I think it arises from the experience of local authorities as to the desirability of the chairman of the local authority, particularly in the rural areas, being elected by the board itself. In this case, of course, it will be a president being elected by a shire council. I have no personal objection to this proposal.

As a matter of fact, it was very similarly proposed, though not quite the same, in the 1949 Bill which I introduced. But I have already said as plainly as I can—I have mentioned the agreement to this principle of the Premier in his 1949 speech—that the closest attention should be paid to the views of local authorities in a matter which is not fundamental—as this is not—to the creation of local government.

So my objection to the measure is not a personal one, but one which I take because I am satisfied that nearly all the local authorities which are going to elect a president are dissatisfied with the proposal, are fearful of its consequences and are convinced that the system of election of president from among the members of the authority itself is one which will

achieve the best results. Therefore, holding the view that I do out of deference to their point of view, I am going to support the proposal which will either return the position to what is at present, or, alternatively, give the option to the district to determine which it will do, and having done so, adhere to that system. That may be a practical alternative to the present proposition.

Arising out of the adult suffrage proposal, the qualification for mayor, president or councillor is most unsatisfactory, because it is proposed that the only qualifications shall be that such an individual shall be over 21 years of age, a natural-born British subject and a resident in the district for 12 months. On the other hand, I hold the view that no one should be elected as mayor or president of a local authority unless he has had at least some experience as a member of a local authority. Bearing in mind the responsibility and authority that are placed by this measure, indeed to some extent by the existing Act, upon the president or mayor of a district, I do not think there are many people who are competent to exercise that authority and to accept the position of mayor or president without experience in local government.

Hon. J. B. Sleeman: Mayors do not have to possess that experience now.

Hon. A. F. WATTS: That is so, but, in my opinion, there is no reason why they should not. In the majority of cases, they do. Among those who do not possess this experience, we find an occasional one who is a successful officer or mayor. In the main they have had some experience in local government. Rather than have this provision in the measure, I would certainly suggest that some such qualification as I have referred to be inserted, plus the fact that the person appointed shall be on the ratepayers' roll, which means that he is a ratepayer or occupier of a ratepayers' property, which is the position at the present time.

The ACTING SPEAKER: Order! Standing Order 170 provides that 45 minutes shall be the limit on speeches unless a member is the official spokesman for the Opposition.

Hon. A. F. WATTS: I am. There are a number of other things to which I have to refer. In the course of his speech, the Minister referred to the Declaration of Human Rights made by the United Nations, evidently having drawn the extract from a comment of the Royal Commission which states that one individual had drawn this paragraph to the notice of the commission. It says—

> The will of the people shall be the basis of the authority of Government, and this shall be expressed in periodical and general elections and shall be by universal and adult suffrage.

The Royal Commissioners did not quote that with approval and neither do I, because I think it has nothing to do with local government. I do not suppose for one moment that the people who drew up the Declaration of Human Rights were concerning themselves with local government in Western Australia or anywhere else. They were concerning themselves—and they had every right to do that because this document was drawn up during a very difficult stage of the last war—with the government of nations, in other words, what we call parliamentary government.

Their statement can be quoted and used, I have no doubt whatever, to advantage in discussions on that subject, but I suggest it has nothing whatever to do with local government. That was a matter which did not enter into their consideration, and indeed, as the Farmers' Union pointed out, has very many differences in its application to the government of the districts concerned.

Later on the Minister, when dealing with a question of the provision in the Bill to strike all rates on the unimproved capital value, proceeded to make a number of assertions. For very many years it has been the practice to give a limited option to local authorities in regard to the basis on which they shall strike their rates. A road board was supposed to strike the rates on the unimproved capital value, but it had the right, with the approval of the Minister, to use the annual rental value in specified areas, mainly town-sites. A municipality was required to strike rates on the annual rental value, but with the approval of the Minister, it could use the unimproved capital value basis.

I believe that system has been successful throughout the years and various local authorities have at times changed from one sort of rating system to another, in accordance with the Act. It is within my memory that one local authority desired to make a change of that nature, but decided to submit the matter to a referendum of its ratepayers. The ratepayers refused to agree and then the local authority approached the Minister of the day and sought approval to make a change under the Act, contending that the referendum was not required by the statute. It thought the Minister should exercise his powers, which I think the Minister very rightly refused to do. He said, "If you want the change made, you had better get a referendum the other way because it is my opinion that you should in this short space of time adhere to the wishes of the ratepayers."

The recommendation of the Royal Commission was that an alternative should be provided for in the Bill in some way, but this Bill provides that there shall be rating only on the unimproved capital value. In order to support this point of view, the Minister made a remark as

follows when referring to the municipalities of the City of Perth, the City of Fremantle and the City of Subiaco.

> These municipalities are surrounded by the road districts of Nedlands, Perth, South Perth, Canning, Belmont Park, Fremantle and Melville. These districts rate on unimproved capital values and the rates average from 6¾d. in the £ to 8¾d. in the £. To enable the cities mentioned to obtain the same revenue from unimproved value rating as they now obtain under their present system, the following rate in the £ would be sufficient:—
>
> City of Perth—2½d. in the £.
> City of Fremantle—3d. in the £.
> City of Subiaco—2¾d. in the £.

That observation was obviously intended to point out the virtue to be derived, even by those cities, by the change—they are rating on the annual value at the moment except in specified areas—to unimproved capital values.

Since the Minister made his speech, I have made some inquiries, not of all local authorities, but of one with which I am in close contact, and it is all a question of what the valuations are. It is a well-known fact that the City of Perth valuations, since the ending of control over the sale prices of property, have been brought well up to date, and it is also a wellknown fact that the valuations of one of those local authorities mentioned by the Minister and the one I have contacted are far below the Taxation Department's values at present.

In consequence, they would have to strike a rate of something over 6d. in the £ in order to achieve the revenue required. Were their valuations up to date, my information is that they could raise the same revenue by a rate of 1.7d. Thus to quote in respect of that local authority—and no doubt the position in other local authorities is similar—the fact is that they would have to strike a rate of 6¾d. to achieve the same revenue for which the City of Perth would have to strike a rate of only 2½d., whereas if the valuations were brought up to date, they would have to strike a rate of 1.7d. to achieve the revenue they now receive. So I do not want the House to take too much notice of the Minister's comment in that regard.

I made some inquiries of the Perth City Council as to what the position might be in regard to its various wards. I asked the officials to examine the position, if possible in the time available, from three different aspects—on the city as a whole; on each of the wards and on individual ratepayers, and was informed that a rate of 3.715d. would need to be applied over the whole of the city area, using the unimproved value system, to return the same revenue as is received under the annual value system, not 2½d. as the Minister stated. If the income received from each of the wards were compared, the following rates in the £ would have to be struck over the several wards to achieve the same returns as at present:—

North Perth	....	8.79d.
Leederville	....	8.59d.
Victoria Park	....	8.78d.

I have also been given some individual assessments. A hotel in North Perth under this system would decrease in its rateable value from £198 to £23, and a hotel in Beaufort-st. from £154 to £20. It is safe to say that this is typical of the anomalies that could arise, and I suggest would arise, in regard to the amount of rates paid by premises in low value areas. Nevertheless, they must receive consideration in the way of amenities possibly to a greater extent than other premises in that district. The position is not as clear cut as the Minister would have us believe. This fact must have appealed to the members of the Royal Commission when dealing with the matter, although it made no such recommendation as the Bill contains, because there was no question of party political leanings on that commission. All shades of political opinion were represented, and the recommendations were unanimous.

So I intend to oppose the proposition that there shall be an abolition of the right to rate on other than the unimproved capital value. I am prepared to compromise by allowing some discretion to be accorded to the local authority, even if it is slightly different from the discretion permitted at present. I realise that outside of town-sites and cities, the unimproved capital value has proved eminently successful, but there we have a close similarity in the values of land in given neighbourhoods. There are not the violent changes in the values of buildings that exist in some of the crowded city areas. I hope that the Government will bear in mind the recommendations of the commission and the other aspects that require consideration, and will consent to a modification of the proposal by bringing the Bill somewhat into line with the methods laid down in the existing Act.

The Minister for Railways: Did the Perth City Council explain that in Floreat Park people pay half the rates paid in Wembley where the rating is on the annual value?

Hon. A. F. WATTS: No, but I would not doubt it for a moment. However, I feel that the local authorities should be allowed to exercise some discretion. At present it is fairly limited. The Bill stipulates "either or" in regard to the whole district except town-sites in the country. The Floreat Park areas come under the endowment lands Act which has special provisions. They are not brought under the laws pertaining to city blocks.

The Minister for Railways: It appeals to the ratepayers of Wembley when they know that people half-a-mile away are paying half the rates.

Hon. A. F. WATTS: That might be due to a question of valuations in the Floreat Park area. While I agree that in this matter the discretion to be exercised should perhaps be subject to limitations, it should not be a flat proposal to compel rating on the unimproved capital value, because to do that could easily place certain local authorities in a somewhat difficult position. For the time being I shall let it go at that. Nor am I satisfied with the proposal that the valuations of the Taxation Department shall be the only ones to be used by local authorities. It has been my experience that it takes a long time to get from the Taxation Department the values for any given district; and that is particularly so in these times, when values are rapidly changing. It is obvious there will be a great deal of delay in obtaining the figures.

Mr. Ackland: Some boards have been waiting years for them.

Hon. A. F. WATTS: That is so. In addition, I see no reason why a substantial and responsible local authority should not employ its own valuer. I do not suggest that the method of sitting around the board table to make valuations, as referred to by the Minister, is a very satisfactory one, although in a number of cases where men have had a large experience in their own districts, which are comparatively small, it has worked very well. I think, however, that as at present the local authorities are allowed to use the Taxation Department values as a basis for their own valuations, they should not be compelled to accept the Taxation Department valuations in toto, or to wait for them.

The provision in the Bill in regard to auditors also seems to raise certain difficulties. The 1949 measure—it having been realised that on some occasions there was no opposition to the election of an auditor because of the arrangement, shall I say, between the members of that profession —proposed that the auditors for cities and towns should be appointed by the Governor from qualified persons, and that the system in regard to shire councils of using Local Government Department inspectors, which had been in operation for some years, should be adhered to. I think that would be a far better arrangement than the provision in the Bill, namely, that the whole of the auditing shall be done by local government officers.

In my experience, it was not easy to obtain fully competent men. They had their work cut out, as a general rule, attending to the work of the local authorities that were under their control. Their audits in the main were not more frequent than monthly, and sometimes they were further apart than that. There was no running audit. We were dealing in those instances with local authorities which had revenues, even in those days, which would not exceed £45,000 or £50,000 a year, and whose operations would not cover more than 1,000, 2,000 or 3,000 assessments, and probably a lot less in some cases.

But in the metropolitan area of Perth, and the City of Fremantle—to take the two very obvious instances—we shall be dealing with a revenue of hundreds of thousands of pounds in the latter case and more than £1,000,000 in the former; and, with 15,000 or 30,000 assessments as against 2,000 or 3,000. In addition, there will be the obvious necessity for running audit to take place almost continuously; and it necessarily must be done by a skilled and competent man who shall be available almost at call. I suggest it is not desirable, therefore, to change entirely the present system. If it is still necessary, as I believe it was in 1949, to overcome the difficulty that might arise in regard to the election of an auditor, then let us provide that the council shall nominate the auditor, and the Governor-in-Council shall approve of him, so that everybody may be certain that he is a properly qualified and competent person. This applies to the substantial local authorities of the cities and towns to which I have referred. I do not see any reason, outside of those areas, to depart from the present position. That is another point on which we shall have some discussion.

I have noted also the powers that it is proposed to give to local authorities to make by-laws. Certain of these proposals definitely require more consideration than has been given to them. One provision enables a local authority to make by-laws for the management and control of school hostels, and for the admission of persons thereto and for the determination of the fees that shall be charged for persons admitted thereto, etc. It may be intended that this shall be exercisable only in the case of school hostels that are run by the local government itself.

At the present time, there are only one or two, if any, small hostels of that nature. I fancy, from memory, that there is one of that kind at Dalwallinu. But, as the Bill is drafted, the local authority is enabled to make by-laws in respect of any type of school hostel. So, if the Albany municipality desired to make by-laws in relation to the management and control of the C.W.A. hostels for boys and girls at Albany, and to determine who should be admitted thereto, and what they should pay for admission, it could do so although the buildings are the property of the Government, the interior furnishings are partly supplied by the Government and partly by the C.W.A., and the management is in the hands of the C.W.A., with the agreement

of the responsible Minister for Education. That provision, as it is worded in the Bill, is preposterous.

I believe that the House will agree that a number of other proposals in the Bill, without my going into them now, deserve some reconsideration. I want the Minister to give further consideration to the clause which provides that no cheque shall be drawn on the bank account except by resolution to the council. I think that provision is absolutely impracticable. Also, I do not like the implication, which it seems to convey, that the executive officer of the municipality ought to be regarded as untrustworthy. I admit that the payment of ordinary accounts can wait, as a general rule, until the council meets, assuming it meets monthly, but some of them do not. Some far outback bodies meet less frequently. However, that certainly cannot apply to the payment of wages as in the majority of instances the wage expenditure of a local authority eats up 40 per cent. or 50 per cent. of its total revenue and the wages have to be paid at least fortnightly, and in some cases, at more frequent intervals if there happen to be departures of staff or changes in the position.

It is therefore an impracticable proposition to suggest that no cheque should be drawn on the board's banking account without a resolution of the council, as the provision of the Bill, as members will doubtless find, proposes very carefully. I think that clause requires substantial alteration in order to make it reasonable. I would like the Minister also to give consideration to the schedule of fees which he has included for returning officers and presiding officers for conducting a poll.

I notice that the presiding officer is to receive no more than the poll clerk and as the hours of polling under the measure are from 8 a.m. to 8 p.m. and the polling clerk is to be paid 7s. 6d. per hour, he would receive, if he were there during the whole day—as is most likely—more than the returning officer who would receive, in the case of an authority of less than 2,000 votes, only £3 3s. for his services although undoubtedly they would commence at least a day before and possibly the day before that. I would suggest that the responsibility of the presiding officer is greater than that of the poll clerk and the responsibility of the returning officer should be looked at from an entirely different aspect from that which has apparently been used in making up the terms of this Bill.

There is also a great deal of opposition —I would advise the Minister—to the proposal for drawing lots to determine the position of candidates on the ballot paper. The measure, of course, provides for preferential voting at all municipal elections and, while there are divided opinions on that subject, I do not propose personally to offer opposition. The preferential voting system has stood the test of time fairly well in parliamentary elections and I think also, for some years, in municipal elections. It has not, as yet, been applied to road board elections, but one of the major complaints in regard to it is that if there were two candidates to be elected at the one time to two vacancies coincidentally occurring, or indeed if there was only one and there were a number of candidates, the knowledge necessary on the part of the returning officer for the counting of the preferential votes would not be available, and considerable errors might be made.

I personally think that is something which could be rectified by time and experience and it would not take very long to do it, but I do not agree with the idea that the candidates for an election, especially in some of the rural areas, should, as the Bill provides, be brought into one place, the names put into a hat and then drawn out for the purpose of determining their places upon the ballot paper. I agree with a great number of local authorities which have written to me and other members here that for this purpose there is little or nothing wrong with the alphabetical system and especially if, as I intend, we restrict the voting at elections to persons qualified as ratepayers and occupiers and, if necessary, their spouses.

Hon. J. B. Sleeman: Do you not think they would vote straight down the paper?

Hon. A. F. WATTS: Not in that case, because then we would have persons taking an intelligent interest in the voting—persons who would know what they were doing and would not be likely to vote as the hon. member suggests, straight down the ballot paper. That would be likely to occur, particularly in a local authority election, if we succeed in incorporating in the measure provision for adult suffrage.

Mr. Johnson: Property and brains do not necessarily go together.

Hon. A. F. WATTS: It is not a question of property and brains going together or of the type of intelligence that takes an interest in such things as the graphs referred to by the member for Nedlands last evening. In the 1949 measure there was a provision which was somewhat similar to that in this Bill, to the effect that tenders should be called for all purchases by the board over £500. I must confess that at that time I had either not given the question sufficient consideration or had done so but could not see the point of the objectors. But I am satisfied now that the objections taken to this proposal are tenable and I would like the Minister, if he will, to look at this matter.

In these days of high costs for plant, machinery and so on little or nothing can be bought for £500. A board makes a determination, shall we say, to acquire a Fordson Major tractor—as a simple example—which costs more than £500. It is,

therefore, compelled to call tenders and there is little likelihood that it will get a tender for a different price for what might be called a proprietary implement of that kind. Its best course, then, I suggest, would be to call tenders for a tractor, giving a specific horsepower, but if the board had made up its mind in advance to have a Fordson, of course it would have a Fordson and so the other tenders would be wasted.

I agree that there are some types of materials for which tenders ought to be called and I would like the Minister to think over whether that provision could not be successfully amended so that the situation which I have referred to and which would arise frequently in relation to far bigger sums than £500, could be overcome. I will leave that in his mind for consideration.

At this stage I do not think I will go any further into detail in regard to this measure. I have put up these last few items mainly to give the Minister an opportunity of having them gone into and if, in the course of the next few days, any others should occur to me, I will give them to him privately. But I hope that the Government will not persist with the proposals in this Bill which, as I have said, are completely opposed to the recommendations of the Royal Commission and, as is quite clear from the correspondence and the Press, are most unsatisfactory to almost all, if not all, local authorities. I refer more particularly to adult suffrage, the method of election of president, the system of rating, making it compulsory on the unimproved capital value and one or two other major items to which I have already made some reference.

I am convinced that if the Government does persist with some of these provisions, the hostility that will be engendered to this measure throughout the local authorities will ultimately result in the measure not going on the statute book, or could so result. That, in my opinion, would be a very unfortunate happening indeed.

After all these years and after the attempts that have been made over the long period to which I earlier made reference to accomplish a local government Bill of this nature, I think that there ought to be a reasonable attitude displayed by the Government. I have already pointed out to the Minister what his own leader thought on that subpect in 1949. I think it is even worth repeating those statements because I think they ought to be the guiding factor so far as this House is concerned. They are so eminently sensible in regard to a matter of this kind. He said—

> If there is one Bill upon which the Government and the people most concerned should reach almost unanimous agreement it is one dealing with local government authorities.

Surely the people most concerned, apart from Parliament, are the local governing authorities themselves! They have displayed, I have no doubt, not only in the communications and Press reports which have come under my notice, but also to many other members of this House and of the other House as well, their unswerving opposition to those proposals which have departed so far from the recommendations of the Royal Commission and it would be impossible to put the present measure upon the statute book with anything like their unanimous approval; in fact, it would be almost with their unanimous disapproval.

Yet there is undoubtedly a great necessity for this measure to find its way on to the statute book, in my opinion, before the end of next year. I do not think it can easily be done before that but it can be done in that time if we will only come down to listening to the views of the local authorities and, indeed, those that were expressed by the Royal Commissioners who were appointed expressly as a result of the discussions that took place in this House, and which evidenced the distaste of local authorities to certain provisions that were then in the Bill, although nothing like some of the provisions that are there now. So I leave it at that. I support the second reading and I will do my best to assist the Minister to put the Bill through Committee when we reach that stage. But I cannot promise him that it will go through Committee without a considerable amount of debate.

On motion by Mr. Court, debate adjourned.

ADJOURNMENT—SPECIAL.

THE DEPUTY PREMIER (Hon. J. T. Tonkin—Melville): I move—

> That the House at its rising adjourn till 5 p.m., on Tuesday, the 5th October.

House adjourned at 5.55 p.m.