will answer the call and they will regulate the victory of the majority. I can say no more than that.

The Hon. D. P. Dellar: We are all under the thumb.

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

Ayes—11

Hon. D. P. Dellar	Hon. J. D. Teahan
Hon. J. Dolan	Hon. R. Thompson
Hon. R. F. Hutchison	Hon. W. F. Willesee
Hon. F. R. H. Lavery	Hon. F. J. S. Wise
Hon. H. C. Strickland	Hon. J. J. Garrigan
Hon. R. H. C. Stubbs	*(Teller)*

Noes—14

Hon. C. R. Abbey	Hon. G. C. MacKinnon
Hon. N. E. Baxter	Hon. R. C. Mattiske
Hon. A. F. Griffith	Hon. H. R. Robinson
Hon. J. Heitman	Hon. S. T. J. Thompson
Hon. A. R. Jones	Hon. J. M. Thomson
Hon. L. A. Logan	Hon. H. K. Watson
Hon. A. L. Loton	Hon. J. Murray *(Teller)*

Pairs

Ayes	Noes
Hon. G. Bennetts	Hon. F. D. Willmott
Hon. E. M. Heenan	Hon. J. G. Hislop

Majority against—3.

Question thus negatived.

BILLS (7): RECEIPT AND FIRST READING

1. Native Welfare Bill.
2. Licensing Act Amendment Bill (No. 4).
3. Evidence Act Amendment Bill.
4. Criminal Code Amendment Bill (No. 2).
5. Mining Act Amendment Bill (No. 2).
6. Firearms and Guns Act Amendment Bill (No. 2).
7. Veterinary Medicines Act Amendment Bill.

Bills received from the Assembly; and, on motions by The Hon. L. A. Logan (Minister for Local Government), read a first time.

TRAFFIC ACT AMENDMENT BILL

Assembly's Message

Message from the Assembly received and read notifying that it had agreed to the amendments made by the Council.

TRAFFIC ACT AMENDMENT BILL (No. 3)

Assembly's Message

Message from the Assembly received and read notifying that it had agreed to the amendment made by the Council.

House adjourned at 5.43 a.m. (Thursday)

Legislative Assembly

Wednesday, the 27th November, 1963

CONTENTS

CONTENTS—*continued*

The SPEAKER (Mr. Hearman) took the Chair at 2.15 p.m., and read prayers.

BILLS (2): INTRODUCTION AND FIRST READING

1. Public Service Act Amendment Bill.

   Bill introduced, on motion by Mr. Brand (Premier), and read a first time.

2. Milk Act Amendment Bill.

   Bill introduced, on motion by Mr. Nalder (Minister for Agriculture), and read a first time.

QUESTIONS ON NOTICE

STATE INSURANCE OFFICE

Payment of Claims on Volkswagens and Sports Cars

1. Mr. DAVIES asked the Minister for Labour:

   (1) Are people who insure Volkswagens and sports cars with the State Government Insurance Office now required to pay the first £25 of each claim?

   (2) If so, from when did this condition apply?

   (3) What were the reasons for the introduction of such a condition?

   (4) Are all models of Volkswagens, including the "Kombi-van" so included?

   (5) What model cars come under the definition "sports cars"?

   (6) Does the condition apply to any other "small" cars?

   Mr. WILD replied:

   (1) Yes.

   (2) The 15th November, 1963.

   (3) Statistical information indicated—

   (a) Higher incidence of claims.

   (b) Amount of damage suffered resulted in the average cost of repair being at least £25 per vehicle higher than the average cost of repair of other makes of vehicle.

   (4) Yes.

   (5) Such vehicles as are determined by the technical staff of S.G.I.O. as coming within this category.

   (6) No; but the size of the vehicle is not the determining factor.

2. *This question was postponed.*

PARLIAMENTARY ELECTIONS

Countries Using "First Past the Post" System

3. Mr. GRAHAM asked the Minister representing the Minister for Justice:

   From information on hand, in which countries is it known that the system of voting and counting of votes for parliamentary elections is conducted on the basis of what is generally described as "first past the post" in contradistinction to the full preferential system?

   Mr. COURT replied:

   Little or no information is on hand, but inquiries will be made by the State Electoral Office and any information obtained will be passed on to the honourable member.

GREAT EASTERN HIGHWAY

Repairs to Kalgoorlie Section

4. Mr. EVANS asked the Minister for Works:

   (1) Is his department aware of the broken state of the road forming part of the Great Eastern Highway west of the town of Kalgoorlie boundary and adjacent to the Highway Motel, Kalgoorlie?

   (2) As this state of disrepair constitutes a traffic hazard will he undertake to have the necessary repairs effected at an early date?

   Mr. WILD replied:

   (1) Yes.

   (2) The Main Roads Department has arranged for the shire council to reconstruct this section of road and prime it with bitumen. This work is now in hand.

COUNTRY RAIL SERVICES

Concession Fares for Teams and Organisations

5. Mr. EVANS asked the Minister for Railways:

   (1) Have concession fares on country rail services for persons who travel as members of sporting teams and other established organisations in groups of six or more been terminated?

(2) If the answer to No. (1) is "Yes," would he please reconsider this matter so as to remove this restriction and impedance to the spirit of decentralisation?

Mr. COURT replied:

(1) and (2) Prior to the 1st November, 1963, concession fares were granted to sporting bodies and other established organisations in groups of six or more on the basis of single fare plus one-third for the return journey. Children under the age of 14 years travelled at half of this fare.

The fares introduced on the 1st November, 1963, provided for a concession on all return tickets purchased, first-class return fares being assessed on the basis of single fare plus 60 per cent., and second-class return, single fare plus 50 per cent. In addition, the age limit for children was increased to under 15 years.

The general concession now being granted for return journeys has provided a wider scale of general assistance and, in the overall, contributes to the spirit of decentralisation more so than selective concessions.

Also, for the first time a telescopic system of fares has been introduced to benefit the travellers over the longer distances.

FEDERAL AID ROADS AGREEMENT

Greater Allocation for Metropolitan Roads

6. Mr. JAMIESON asked the Premier:

(1) As the current Federal Aid Roads Agreement is due for review next year, would he press for a minimum percentage of this fund, under future agreements, being allocated to metropolitan roads, having due regard for the large contributions made by metropolitan car owners?

(2) Is he aware that a recent Lord Mayor's conference adopted a proposition to have a greater amount allocated to metropolitan roads?

(3) Is he sympathetic to this move of the Lord Mayors' conference?

Mr. BRAND replied:

(1) The Government will make strong representations to obtain the maximum grant for this State under the new Federal Aid Roads Agreement and would hope to have nothing less than the present arrangements.

Whilst the concern of the Lord Mayor regarding metropolitan roads is appreciated the fact remains that unless main roads serving rural areas are maintained at a high standard the productive capacity of the State could be affected.

It should be remembered that because of the principle contained in the distribution formula, which ensures that a certain percentage of the money must be spent in rural areas, we have been able to maintain a reasonable standard of roads in the vast areas of this State, including the north.

I would point out that under existing legislation all traffic fees collected from metropolitan car owners are spent in the metropolitan area plus funds provided from Commonwealth aid roads grants.

(2) Yes.

(3) Answered by No. (1).

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 2)

In Committee

Resumed from the 26th November. The Chairman of Committees (Mr. I. W. Manning) in the Chair; Mr. Nalder (Minister for Agriculture) in charge of the Bill.

Clause 5: Section 113 amended—

The CHAIRMAN: Progress was reported after the clause had been partly considered.

Mr. TOMS: At yesterday's sitting the Minister reported progress so that he could confer regarding my proposed amendment. I would now ask whether the Minister has any information he would like to impart to members.

Mr. NALDER: I have had an opportunity to confer with the Minister for Local Government, who indicated to me that this is not a wise move. Contrary to the thoughts expressed by the member for Bayswater, the Minister for Local Government advised as follows:—

> Referring to your request for further comment on the representations made to you by the member for Bayswater, Mr. Toms, and others concerning clause 5 of the Local Government Act Amendment Bill, 1963, I advise that the suggestion for an amendment to the clause to provide that an authorised witness is to be a person "entitled to be enrolled as an Assembly elector" is not a wise one and contrary to the opinion given to you by Mr. Toms this would not be in line with either State or Federal electoral law.
>
> The State Electoral Act by section 94 provides that the authorised witness for a postal vote is a person who is enrolled on an Assembly roll and section 91B of the Commonwealth Electoral Act likewise provides that the

authorised witness must be a person whose name appears on the roll for a State.

There is one big difference, however, under State and Commonwealth law, that the actual application form does not require to be witnessed at all, it being only the vote which must be witnessed.

The suggested amendment indicates that the honourable member wishes to amend the Act so that a person who is eligible to witness a signature should be one who is not an enrolled elector, but one who is entitled to be enrolled. The Minister says this is a very confusing and clumsy way of dealing with the matter under this particular clause. He also suggests it would be extremely difficult and probably of no value at all if provision were made for a witness to be a person who was entitled to be an elector. He is of the opinion that it would be of no value at all to the returning officer. He would have no proof whatsoever who this person was as he would not be able to refer to any electoral roll. He has suggested to me that the amendment should be opposed.

Mr. TOMS: I regret the Minister for Local Government has adopted that attitude. My reason for bringing this amendment forward was to overcome something which happened in the City of Fremantle council elections. In this case the winner and the one in next position were very close and the witnessing of the postal votes was challenged. It was then necessary for every Assembly roll to be checked to ascertain the *bona fides* of the particular elector. I thought that by having the amendment worded "is one entitled to be on the roll" it would mean that a person over 21 who was a natural born British subject or a naturalised British subject would be in a position to witness a signature.

At the present time it is necessary to check every electoral roll, and there is no indication given as to which Assembly roll the witnessing signature belongs to. It might be necessary to go through 50 before it is found. That is one of the points I had in mind; but if the Minister is adamant we will have to wait until there are two or three elections in which things are fairly close and then the local authorities will have to kick up a fuss in order that the provision might be amended.

Mr. NALDER: I think the position, as mentioned by the honourable member, indicates the reason why we should stick to this clause as printed. If the person who witnesses an absentee vote is not on a roll, we may just as well not have any witnesses because there would be no way of checking them.

Mr. Bickerton: That applies to a lot of declarations.

Mr. NALDER: If an amendment is necessary, let the local authorities ask for it. If a recommendation were made to the Minister and then by the Minister to Parliament, I am sure it would be accepted. It is not a very big job to check the rolls; and, therefore, as this amendment was originally recommended by the local authorities, I think we would be well advised to accept it.

Mr. JAMIESON: While I do not have any wish to prolong the debate unduly on this matter, I would have been happier had the opinion the Minister read come from the Crown Law Department instead of the Minister's department. The wording on the card for the Legislative Assembly merely states that the witness must be an elector or a person qualified to be an elector. The Electoral Department, with its multiplicity of rolls available, does not require this, because it would involve a fantastic amount of work. All that is required by that department is that the witness be an elector or a person qualified to be an elector. That has obviously been provided for a purpose.

Mr. Bickerton: He is only witnessing a signature, not stating that the person is eligible.

Mr. JAMIESON: That is right. All the witness does is to state that he witnessed the signature of the other person, and then he signs his own name. Surely if it is reasonable and sufficient on one Government form which has stood the test of time, it should be adequate in regard to the matter under discusion. However, if the Minister wants to go ahead, it is all right with us. We have indicated our thoughts on the matter; but I do not feel we should unduly complicate the Act because of erroneous impressions that may be gained from time to time by the local authorities or their association.

Mr. Nalder: Why not move to take it out altogether?

Mr. JAMIESON: The Chairman has already indicated his thoughts on that matter. I agree it probably needs tidying up completely. We do not want the local authorities, next time there is an election, to complain about what we have done. After all, the results of an election could be held up for some considerable time because an objection is made to signatures on certain postal votes.

Mr. Bickerton: You could not decipher some of them anyway.

Mr. JAMIESON: That is true, particularly some of the classy ones. How would the returning officer be able to ascertain who the witness was? He might even have to obtain this information from the elector himself. I am of the opinion that something more is desirable even if it means the introduction of another short Bill. It would not take the Crown Law Department

10 minutes to frame a suitable one; and this would be the most satisfactory way to deal with the position.

Mr. TOMS: I do not want to delay this matter, especially as it is a minor one in some ways. However, the position did arise at Fremantle. I think members would appreciate that local authorities would only have the Legislative Assembly rolls belonging to their own territory, and therefore in the event of the necessity to check a signature, every other Legislative Assembly roll would have to be obtained.

This position delayed the decision in Fremantle for days, and it could happen again. However, if the Minister is happy about it, I am; but I still think we will be faced with certain dangers.

Clause put and passed.

Clauses 6 to 34 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Mr. Nalder (Minister for Agriculture), and passed.

DENTISTS ACT AMENDMENT BILL

Council's Amendments: In Committee

Resumed from the 26th November. The Chairman of Committees (Mr. I. W. Manning) in the Chair; Mr. Ross Hutchinson (Minister for Health) in charge of the Bill.

The CHAIRMAN: Progress was reported on Council's Amendment No. 3. The amendment was as follows:—

No. 3.

Clause 29, page 11—Add a paragraph to stand as paragraph (c) as follows:—

(c) by deleting the word "female" in line three of paragraph (d).

And the Minister for Health had moved—

That amendment No. 3 made by the Council be amended by inserting at the end of proposed new paragraph (c) the words "and inserting in lieu thereof the words 'registered or female chairside assistant'."

Mr. ROSS HUTCHINSON: Members will recall that the Committee encountered some difficulty during the discussion on the Legislative Council's third amendment. I found difficulty in properly phrasing an amendment which would satisfy the requirements of the Opposition and the Government. The amendment that appears on page 2 of today's notice paper is incorrectly phrased because, as it is worded, it cannot be fitted into the Act. I have prepared a new amendment which, I think, will satisfy the Committee's requirements; and I therefore seek leave to withdraw my original amendment.

Amendment, by leave, withdrawn.

Mr. ROSS HUTCHINSON: I move—

That amendment No. 3 made by the Council be amended by deleting all words after the word "by" and substituting the words—

inserting the words "dental attendant or registered", immediately after the word, "female", in line three of paragraph (d)."

The proposed amendment contains the meaning which the member for Gascoyne and I were seeking. It was the honourable member's intention, and also the intention of the Legislative Council, to try to ensure that the term "female nurse" was broadened to include both sexes. Also, it was not desired to exclude the operation of "female dental attendant". Earlier the term "female chairside attendant" was referred to me. I will agree to Council's amendment No. 3, subject to my amendment. If the Committee agrees with the amendment, then it will satisfy the requirements of both the Government and the Opposition.

Mr. NORTON: I do not think the Minister has gone far enough back. His amendment will mean that paragraph (c) in amendment No. 3 will be completely rewritten. If he were to go back to the word "follows", in line 2 of Legislative Council's amendment No. 3, and delete all words after the word "follows", he would be able to insert his new paragraph (c), which would replace the one now shown in the amendment.

Mr. ROSS HUTCHINSON: My proposal is only another way of doing it. It is hard enough as it is to agree to the amendment of the Legislative Council, even in the way I have it phrased, but it would be even more difficult if we were to adopt the honourable member's suggestion. If my proposal is agreed to we will arrive at a situation which will enable the parent Act to be read quite clearly. My proposal satisfies the requirements of the member for Gascoyne, and in my view there is no need for me to elaborate any further. I am only trying to help him with his original suggestion.

Mr. NORTON: I am not trying to be difficult in regard to this matter. The Legislative Council's amendment was to delete the word "female" from the parent Act. We have removed that deletion because we want to retain the word in the Act so that we can insert into the Act, immediately after the word "female", the words which the Minister has suggested in his amendment.

Mr. Ross Hutchinson: But the word "female" is in the Act as it stands.

Mr. NORTON: Yes; but the Legislative Council's amendment deletes the word "female".

Mr. Ross Hutchinson: But my amendment to the Council's amendment is to delete all those words.

Mr. NORTON: The Minister's amendment is to insert the words "dental attendant or registered" immediately after the word "female". This will leave the word "female" in the Act and those words I have just mentioned will be added.

Mr. Ross Hutchinson: That is so. It stands on its own.

Assembly's amendment on Council's amendment No. 3 put and passed; the Council's amendment, as amended, agreed to.

The CHAIRMAN (Mr. I. W. Manning): Amendment No. 4 made by the Council is as follows:—

No. 4.

New clause, page 8—Add, after clause 22, a new clause to stand as clause 23, as follows:—

S. 43 amended.

23. Section forty-three of the principal Act is amended by deleting the words "of Dentists" in each case where occurring in line six of subsection (1) and in line six of subsection (3).

Mr. ROSS HUTCHINSON: This is one of the amendments referred to me by the member for Gascoyne in his second reading speech, and one which I promised I would have the Minister in another place look at. It was moved in another place and I am quite agreeable to it. I move—

That amendment No. 4 made by the Council be agreed to.

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

Report

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

STATE FORESTS

Revocation of Dedication: Motion

Debate resumed, from the 12th November, on the following motion by Mr. Bovell (Minister for Forests):—

That the proposal for the partial revocation of the State Forests Nos. 4, 14, 22, 23, 29, 38, 49, 51, and 65 laid on the Table of the Legislative Assembly by command of His Excellency the Governor on the 7th November, 1963, be carried out.

MR. GRAHAM (Balcatta) [2.59 p.m.]: I concur.

Question put and passed.

Resolution transmitted to the Council and its concurrence desired therein, on motion by Mr. Bovell (Minister for Forests).

RAILWAYS (STANDARD GAUGE) CONSTRUCTION ACT AMENDMENT BILL

Second Reading

MR. COURT (Nedlands—Minister for Railways) [3.1 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to amend the Railway Standardisation Agreement Act, 1961. I will, at the appropriate time, be tabling plans Nos. 54405, 54406, and 54407, as required by the Statutes. The amendment arises from the considerable amount of research and survey work that has been undertaken by the Railways Department and the consulting engineers, G. Maunsell & Partners, following the completion of the agreement with the Commonwealth Railways for the standard gauge project.

It was also understood that the original route and method of constructing the railway would be subjected to critical examination as each phase of the project came up for consideration. It became apparent that there were some major changes which, in the interests of the project and the overall system, should be discussed with the Commonwealth; and, if approved by the Commonwealth, submitted to the State Parliament. These changes have been discussed with, and approved by, the Commonwealth in accordance with the requirements of the original agreement.

It is desirable to have approval for the amendments this session so that further planning and the letting of contracts can proceed without interruption. Parliament has already approved the revision of the project dealing with the connection of the Great Southern line to the standard gauge railway in the Northam area. There are two main parts to the variations covered by the Bill; namely, the Southern Cross-Kalgoorlie sector, and the metropolitan area sector. I will deal firstly with the Southern Cross-Kalgoorlie sector.

The original Act provides for construction parallel to the existing railway between Southern Cross and Kalgoorlie with a spur between Southern Cross and Koolyanobbing. Examination has disclosed that deviations to obtain the stipulated grade of 1 in 150 would be necessary over about 60 per cent. of the length and would approximate an additional length of 35 miles over that existing, or a total of 174 miles. The total length of construction, including the spur line, would therefore approximate 208 miles at an estimated cost of £10,073,900.

An examination was made of the possibility of constructing the railway more or less in a direct line from Koolyanobbing to Kalgoorlie, with the original spur becoming part of the main line. I might add that this is not something new, but something that had been advocated in certain quarters for many years. However, it had never been seriously pursued because of the established line and, accordingly, there was no reason for changing the existing line until such time as a major change took place. A survey party worked right through, and aerial photographs were obtained. The resulting information showed that it is practicable to construct such a railway at a much lower cost over far easier country, as the route would be removed from the north-south ridge country existing on the present route.

The length of construction on the alternative is—

	Miles
Southern Cross-Koolyanobbing	34
Koolyanobbing-Kalgoorlie	124
Total	158

This meant a saving of 50 miles of construction at an estimated saving in cost of £1,989,900. Apart from the gypsum, which is loaded at Yellowdine, there is practically no traffic handled at any of the stations on the existing railway east of Southern Cross. The deposits of gypsum are closer to Koolyanobbing than they are to Yellowdine, so there would be no ill effects on this traffic by adoption of the amended route. This, of course, raises the question of the future of Coolgardie.

In the original conception it was proposed that the standard gauge railway would follow the general line of the existing 3 ft. 6 in. gauge line from Southern Cross to Coolgardie and Kalgoorlie. With the retention of the Leonora-Kalgoorlie-Coolgardie-Esperance line as a 3 ft. 6 in. line, Coolgardie would have been the obvious transhipment point between this 3 ft. 6 in. gauge line and the standard gauge railway. However, the research undertaken indicates a strong case in favour of going direct from Koolyanobbing to Kalgoorlie which, in effect, would by-pass Coolgardie so far as the standard gauge railway is concerned.

The 3 ft. 6 in. line operating from Leonora - Kalgoorlie - Coolgardie - Esperance would continue and the new transhipment point between the two systems would in the circumstances, obviously be Kalgoorlie. Although the surveys are well advanced and have demonstrated the desirability of the Southern-Cross-Koolyanobbing-Kalgoorlie route, a final decision on whether a deviation to Coolgardie is desirable has yet to be made. The economics of the respective routes and all the other factors related thereto are the subject of a very close scrutiny at present both in respect of capital factors and operating factors.

I promised the local authority that before any final decision was made we would examine very carefully the economics of the matter. One can appreciate its desire to have the standard gauge operate through Coolgardie, but present indications are that the capital costs of the deviation, plus the increased costs of operating the additional distances in each direction, would be so heavy as to outweigh any other advantages that might accrue.

It must be appreciated, however, that the project will not be completed, so far as the Coolgardie area is concerned, until the end of 1967. In the meantime, the main mines operating in the town have already ceased operation, and the consequential effects of this will have been felt long before the standard gauge reaches the area. The only real advantage to Coolgardie, if the standard gauge railway passes through the town, would be its possible use as a transhipment area in lieu of Kalgoorlie. This would provide a small amount of employment, but not sufficient to offset the considerable drift from the town that will have occurred long before standardisation of the railway gauge is completed.

There are varying estimates of the increased costs of making the deviation. No final figure has been determined, but it will be in the vicinity of £460,000, without regard for the additional mileage that will have to be travelled in each direction because of the deviation. In view of the undertaking to consider the matter very carefully before a final decision is made, the Bill provides a permitted deviation factor, in the area from Koolyanobbing to Kalgoorlie, of 10 miles on either side. This is ample to include Coolgardie in any final deliberation.

At this point I invite members to study clause 4 of the Bill. The deviation factors are very unusual and call for explanation. The deviation factor called for in regard to the Kalgoorlie-Koolyanobbing sector is 10 miles on either side. It was thought that this was the only way to overcome the problem and to allow the question of Coolgardie to be considered within the authorisation of this particular measure.

In the authorisation of the line from Koolyanobbing to East Northam, this deviation factor has been reduced to five miles on either side. This was considered ample for the necessary flexibility, and the final pegging out on the ground of the line. For the remainder of the line the deviation has been further reduced to a distance of one mile on either side. It will be appreciated that the same degree of deviation is not needed, nor could it be tolerated, in the more built-up areas, as is requested in those areas east of Northam and east of Koolyanobbing.

When we get east of Northam into much more open country it is easier to allow greater deviation. I should add in respect of the whole of the route that advantage was taken of the extremely heavy winter to have a lot of aerial and ground work done so that we might obtain proper and up-to-date records of the effect of a very heavy winter. We would not get many winters worse than the one we had, and it tested out the drainage system of the whole area, and emphasised in many cases the effects of a sustained winter and what is necessary to ensure ample allowance for drainage problems in an extraordinary winter when the new railway is built.

Mr. Kelly: Was it not a fact that the survey teams were at times not able to get to that area?

Mr. COURT: That is so. The proposal to construct a standard gauge railway closely parallel to practically the whole length of the narrow gauge main tracks in the built-up area of the city—I now deal with the metropolitan sector—with the attendant difficulties of negotiating existing yards and stations, under and over-bridges and the numerous other features, such as sewerage, drainage, and communication facilities, to be encountered in the restricted space available, has been the subject of critical examination with a view to easing the problems and reducing cost.

There would be many difficulties in the construction of the standard gauge line in the metropolitan area on the route laid down in the agreement. The cost per mile would be much greater than the average for the whole project, and substantially in excess of the cost in the open country between Northam and Kalgoorlie.

A major obstacle to construction between East Perth and Fremantle is the limited clearances of the two bridges at either end of the present Perth station. To obtain the required clearance it would be necessary to lower the tracks approximately five feet, as the bridges cannot be raised above their present level. I will deal in more detail in a few minutes with the overall question of lowering the railway through Perth. Lowering in this locality would be expensive, it would create drainage problems, and interfere with the foundations of the bridges. I am referring now to doing it on a total basis, for both the standard gauge and the narrow gauge at one time. The lowering could not be carried out until the freight terminal was constructed and in operation at Kewdale, and the passenger terminal erected at East Perth. I would emphasise I am dealing with the lowering of the railway in relation to the original concept of the standard gauge railway going through the city. On close analysis it was found this could completely upset the timetable if we wanted to get the line through Merredin and Southern Cross quicker than foreshadowed.

A preliminary reassessment of the cost of carrying out the work set out in the agreement has been made. I am now referring to the metropolitan sector. This indicates that to carry out such work £9,794,000 would be required. The costs are based on an intelligent appreciation of work involved, and could vary when detailed plans are prepared, but it is considered that costs shown are not overstated when the adverse conditions under which the work would be carried out are taken into account.

It is desired that the route of the standard gauge railway in the metropolitan area, west of Bellevue, be varied to the extent set out hereunder—

(1) Omit construction Welshpool to East Perth.

(2) Omit construction East Perth to Leighton.

(3) Fremantle—Kwinana sector. Omit dual gauge construction Fremantle to Robb Jetty; also Coogee to Kwinana.

(4) Deviate the Kewdale to Kwinana line from a point approximately six miles south of Kewdale in a westerly direction to cross the narrow gauge Armadale to Fremantle railway at a point near the junction of the Cockburn cement railway; thence continue in a southerly direction as dual gauge to Naval Base, thence as a standard gauge line to Kwinana marshalling yard.

(5) Construct a standard gauge line parallel to existing narrow gauge Cockburn junction to Fremantle via Robb Jetty. This line to junction with the Kewdale to Kwinana railway at or near Cockburn junction.

I would now like to comment briefly on the purpose of the request for variation. One factor is the saving in the cost of construction. The comparative estimated cost of construction between the reassessed cost of the routes in the agreement —again I refer to the metropolitan area— and the cost after variation, is shown hereunder—

	Standard Gauge Project
Routes as per agreement	£9,794,000
Routes as varied	£7,628,000
Estimated reduction in cost	£2,166,000

In summarising the operational advantages of the variation I would point out that the grade between Northam and Kewdale is one in 200. From Kewdale to Leighton via the route in the agreement— that is, through the city—it is one in 100; therefore, unless the route is varied, trains must enter Kewdale yard to reduce load.

This breaking of the load is a very important factor, and the new proposal overcomes this, and has quite a dramatic effect on what has to be done in the Kewdale marshalling yard.

It has been investigated and found that there are definite financial advantages to be gained if most of the grain for export is transported on standard gauge west of Northam, but this is only if the full load leaving Northam can be taken straight through to Leighton. Had we followed the original idea and gone through the city we would have had to go through Kewdale, break down the load, and take the load on in more than one train to Leighton. Under this system it will be possible to bring the trains right through from Northam to the Fremantle terminal. This can only be done if the route described in the variations is constructed.

The proposed route south of the river preserves the correct grades, and will have the effect of permitting the same locomotive power to haul 2,400 tons with a 1800 h.p. locomotive as compared with 1,575 tons by the originally proposed city route. Members will appreciate that the change in the economies of these grades is so good that even if a few extra miles are involved it will still be economic for the railway system to operate the trains south of the river on the better grade.

It is anticipated construction of the standard gauge line to Kalgoorlie will be completed as far as Merredin by early 1966 or late 1965, and Koolyanobbing by early 1967. As soon as the line reaches Merredin and Koolyanobbing it is proposed to bring these sections into use for the carriage of export grain from the former, and iron ore from the latter. Advice has been received from the Broken Hill Pty. Co. Ltd. that this is acceptable to it. In turn it means an earlier completion of the Kwinana blast furnace.

We were never happy about the idea of large sums of money lying idle for a number of years until the whole project was finished. If we had not worked out an alternative system such as the one submitted to Parliament, we would have had a position where the Avon Valley section could be used for narrow gauge operations after 1964, and the remainder of the line would virtually be idle until it was finished through to Kalgoorlie. We did not think this was an acceptable proposition, and instructions were given to find an alternative method.

There is another reason why it is important to get this sector of line into use, because by 1965 we feel that the build-up of traffic is going to be so substantial in the normal traffic we are carrying interstate and intrastate, that we would have to enter into a considerable programme of narrow gauge rolling stock building, and possibly locomotives. Members will realise that by 1967, when under the agreement we get all the surplus rolling stock and locomotives from the Kalgoorlie line for nothing as part of the standard gauge railway agreement, we would have a surplus of narrow gauge rolling stock; in other words, we would have built extra rolling stock to fill in a gap of two, or maybe three years at the most, and that would be quite uneconomical.

By finding a way for part of the line to be in operation, possibly east to Merredin, for grain and superphospate traffic, we will be able to bring the standard gauge rolling stock in quicker, and so save us the need to build the extra narrow gauge rolling stock. By 1967 the redundant stock from the Kalgoorlie line will give us a very well equipped 3ft. 6in. system, both as to locomotives and ordinary rolling stock.

The south-of-the-river route from Kewdale to Leighton can be completed by late 1965 or early 1966, in time for grain transport, but the route in the agreement could not be brought into use until after completion of the Kewdale yard in 1967, followed by lowering of the tracks through the city. We would have a bottleneck because of the Kewdale yard, if we had to wait for that to be completed and if we adhered to the original conception of going through the city with the standard gauge line.

The organised transport of export grain in full train loads, but only if the south-of-the-river route is used, would have a profound effect on the size and complexity of the Kewdale yard, as those trains would not enter that yard at all, and much of the construction originally proposed would not be required.

Other advantages to be gained from transfer of grain, early use of the main eastern line, and the construction of the south-of-the-river route are—

(1) Simplification of layout and reduction in the size of both the railway and harbour trust yards at Leighton.

(2) Education of train crews and traffic staff in the handling of the larger standard gauge trains at higher speeds and with a different brake apparatus.

(3) Experience in the maintenance of standard and dual gauge lines before the introduction of high speed passenger trains.

(4) Diversion of a great deal of heavy freight movement from the city area.

(5) Reduction in operating costs by being able to run block trains from point of origin to destination.

(6) Avoidance of construction of additional narrow gauge rolling stock, other than special purpose vehicles, for many years.

(7) Increased availability of narrow gauge rolling stock through reduced length of haul on that gauge.

(8) Simplification of rail facilities and enhanced operating results at the North Fremantle grain silo.

(9) Increased locomotive loads, i.e., increase from 1,575 tons to 2,400 tons for 1,800 h.p. locomotives between Kewdale and Fremantle.

Some general comments from me regarding progress on the standard gauge rail project are appropriate at this stage. Members know considerable numbers of contracts have been let for the Avon Valley sector which we are endeavouring to have completed by the end of 1964, ready for operation in 1965. Up to date something like £7,000,000 has been committed on standard gauge railway work.

It is estimated that the saving in operation on this route—that is, the Avon Valley route—as compared to the existing Northam-Chidlow-Midland route, could be as high as £500,000 per annum, because of the improved grades and curves. It has been a very difficult period of construction, because of the heavy winter; but this has had the advantage of enabling our engineers to see at first hand the effects of abnormal rains on the route, particularly on the Avon Valley route which is a brand new route, so far as the railways are concerned. This route has brought its hazards to the contractors, but so far as the railways are concerned it has considerable advantages, because we are able to inspect the line and approve the work under very exacting conditions.

Mr. Kelly: As well as blasting the homes of some people.

Mr. COURT: I do not think we will go into that one at this moment. The original agreement has been varied to permit double dual gauge tracks, instead of single dual gauge in the Avon Valley. This originally was thought to be adequate under the agreement, but the pattern of increase in freight has developed to the extent that a doubt was raised as to whether or not a single dual gauge line would be sufficient in, say, 10 to 15 years' time. We discussed this matter with the Commonwealth, because it did not require statutory approval. It was negotiated within the terms of the agreement, and the Commonwealth agreed to accept a double dual gauge track down the Avon Valley as part of the original project. Of course, that is to our advantage.

Some of the country through which the line has to be constructed in the Avon Valley is proving to be more difficult than original samplings indicated and this could have the effect of increasing the cost of this sector.

At this juncture it is impossible to be specific as to what will be the final cost of this part of the project—or the project as a whole. Members will appreciate that two of the proposals I have explained to the House, in respect of the Southern Cross-Kalgoorlie sector and the metropolitan sector, will have the effect of reducing the actual cost of undertaking the job, as compared with the original proposals. However, knowing how these projects develop, and the unforeseen circumstances that arise, I would not like to give the impression that this line would be built for less than the £41,200,000 originally foreshadowed.

Some of these increases that are inescapable in a period of five or more years are directly related to wage, and other cost increases. Other increases will be due to improvements in standard the Commonwealth will agree to from time to time; for instance, the agreement to include the dual gauge on a double track basis in the Avon Valley has increased the cost by about £400,000. I am sure members will agree that it was both desirable and necessary to try to negotiate a double track at this stage when it could be built at much less cost than if it was undertaken later. The original agreement provided for earthworks, to allow for double tracks, although for only one dual gauge track to be installed.

Other costs will be related to difficulties which arise, such as with the type of rock formation found in the Avon Valley, and for which we have not yet received a full assessment. All those factors are carefully watched by the W.A.G.R. engineers, the consultants, and the Commonwealth. The Commonwealth supervises the agreement through both the Department of Shipping and Transport, and the Commonwealth railway system. Officers of the Commonwealth Railways work closely in conjunction with our own on technical matters, particularly when any revisions of the original arrangement are involved.

The original agreement provided a very desirable clause regarding rolling stock requirements. I think it is appropriate to mention the particular section in the 1961 Act, which is as follows:—

> The estimates set out in the second schedule in regard to rolling stock are accepted by the parties as including minimum requirements for general traffic, but constituting, unless otherwise agreed under this subclause, the extent of the objectives of this agreement in that regard.
>
> The extent of the objectives in that regard may be varied by agreement between the parties following a review, which shall be carried out by the parties in or about the end of the year 1966, taking into account the quantity of rollingstock of the State suitable and fairly available for conversion to standard gauge and such other factors as are relevant at that time.

In other words, this provides for a reappraisement of the rolling stock requirements to operate the standard gauge railway when we get closer to the actual date of operation. It was realised when we conducted the original negotiations that we could only make a calculated guess of the situation which would exist when the line came into operation—then foreshadowed by the end of 1968, but now on the present programme by the end of 1967. Many factors influence the rolling stock that would be required for the standard gauge system to carry passengers, general freight, and iron ore.

This clause in the original agreement provides for a revision in about 1966 and will allow a degree of flexibility. This, of course, could influence the final cost of the project, because the original estimate of the project allowed for the rolling stock and locomotives set out in the schedule, and naturally, if the Commonwealth agreed to our having more rolling stock and locomotives, the cost would be adjusted and the formulae would take care of that in accordance with the provisions of the original agreement.

The railways—The Western Australian Government Railways—have already commenced the initial survey of what is likely to be its requirements in 1967-68. Naturally, as each year passes, the Railways Department can be more accurate in its estimates as to what requirements will be at that time as to passenger, stock, and freight cars. I should stress at this stage the fact that this review does not take place until about two years before the line comes into operation, but it does not mean that we will have to wait until then before we can commence to give consideration to building rolling stock and to the ordering of locomotives.

Drawings are already being undertaken in connection with rolling stock and locomotives. There are certain basic items of equipment, such as locomotives, wagons, brake vans, passenger vehicles, etc. which will be the minimum we will require. It is envisaged that when we make this review in about two years before the line comes into operation, we will be thinking in terms of additional requirements over those in the schedule to the agreement.

I have only made passing reference to date to the lowering of the railway through Perth. It should be appreciated that the lowering of the line is not a requirement so far as the 3 ft. 6 in. system is concerned. That could function indefinitely at present levels so far as the railways are concerned. However, the lowering of the line is something which is much more important than the actual operation of the railway itself. It is, in fact, a major town planning and redevelopment problem of the city rather than a railway problem. The Government has the lowering of the line actively under consideration, for which purpose expert advice has been sought. This advice is being examined and the investigations are still continuing.

The decision to extend the area to be covered by the switch road and move it north from Roe Street has a tremendous effect on the planning of this particular area and it will, I think, have a very advantageous effect because it enables an entirely new concept of planning—so far as the centre of the city is concerned—to be undertaken. Incidentally, there appear to be no insurmountable engineering problems so far as the lowering of the line is concerned.

Mr. Kelly: What about the water table?

Mr. COURT: It is more a question of finance and timing. By way of interjection, the honourable member has referred to the water table. This is something that has always been in the minds of engineers, but I am told that with modern techniques it is unlikely that this will be the serious problem that it might have been a few years ago. I think the honourable member has in mind the advice current a few years ago—and no doubt given to the previous Government—that the water table could have an effect because of what has been experienced in buildings in Wellington Street. I understand that with modern techniques, it will not be a serious problem at all, and is certainly not an insurmountable engineering problem. It is mainly a question of finance and timing, because it has to be fitted into the general pattern; for instance, the shifting of the railway facilities from the west end of the Perth railway yards.

Mr. Kelly: Years ago there were bullrushes where Perth station is now, and there was water on the surface.

Mr. COURT: The honourable member is correct. When one looks at the original plan of Perth, one will see it was a great lake area; there was a swamp system right through this particular portion and this had an effect upon Bairds, Boans, and the Post Office. If I remember correctly the Post Office was actually built on piles.

Mr. Norton: So was the Commonwealth Bank.

Mr. COURT: There is no doubt that the lowering of the line through the city and the redevelopment of the whole of the railway area stretching east of Barrack Street Bridge through to West Perth could achieve a very desirable and, in fact, an imposing transformation in the future outlook of the centre of the City of Perth.

Mr. Wayne went abroad and one of his tasks was to examine some of the examples in other parts of the world where they had undertaken a similar exercise to lower a line, but without encasing the

railway. One of the problems of which we were always fearful was that the railway would have to be completely covered; and, while operating diesels, this would bring about the insurmountable problem of fume extraction. Under modern methods they do not cover the railway reserve completely; major buildings are astride the reserve at intervals, and this allows an escape for the fumes under a properly determined formula. It achieves a certain amount of town planning requirements, because of the air space it allows between the major buildings which would be constructed across parts of the railway reserve. I hasten to add that it is not intended to have mighty buildings over the central station area, because it is intended to preserve it as a centre-piece in the city.

However, if members, next time they are in that area, care to look at the extent of land from east of Barrack Street Bridge through to West Perth they will realise that it is an enormous amount of real estate in the middle of the city which will have to be redeveloped on a properly planned basis. I would again point out that there are no insurmountable engineering problems, and the operation of diesel trains is quite permissible because the railway reserve will not be completely enclosed.

I should add that the prospect of electrification of the Western Australian Railways is something we could not contemplate at this time and it is not receiving any consideration. There would need to be a tremendous build-up in traffic to warrant the heavy capitalisation of an electrified system. That type of system has the advantage that it can go underground without any of the fume problems that have to be encountered with coal and diesel.

I have referred to the desirability of using standard gauge rolling stock for the transport of grain from the west of Northam in preference to the 3ft. 6in. This will involve a carefully co-ordinated programme between the Western Australian Government Railways and Co-operative Bulk Handling. I am pleased to say negotiations are proceeding satisfactorily and the proposals under consideration are designed to produce a system which will be of mutual advantage to Co-operative Bulk Handling and the railways, which, in turn, means to the advantage of the primary producers in this State.

A study of the plans which I will table will make it clear that not only is the grain traffic provided for at the North Fremantle terminal, but also there is ample provision for the transport of superphosphate from metropolitan works at North Fremantle and Bassendean by both the 3ft. 6in. and standard gauge systems, thus avoiding any necessity for transhipment.

A study of the map will demonstrate there is a connection by both gauges at North Fremantle and at the Bassendean Superphosphate Works. I should also add that the fact that the standard gauge railway will not go through the city does not mean that the existing line cannot be used for freight haulage. There will be some 3ft. 6in. haulage which it would be desirable and, in fact, necessary on occasions to send through the city; but the amount of traffic handled on that route will be considerably lessened as compared with the position that would exist if we operated the standard gauge right through the centre of the city.

On the question of superphosphate, and in anticipation of a query that might be received, I should add that the possibility of a bulk-storage system being developed in the country to allow of big train loads of superphosphate being back-loaded to these bulk storage centres, is something that time alone will decide. Suffice to say that, at this juncture, its possibility has not been overlooked by the railways and has been taken into account in all our planning.

I ask permission, in accordance with the requirements of the Public Works Act, to table plans Nos. 54405, 54406, and 54407, covering routes mentioned in this Bill.

The plans were tabled.

Debate adjourned until Tuesday, the 3rd December, on motion by Mr. Kelly.

CONSTITUTION ACTS AMENDMENT AND REVISION BILL

Second Reading

Debate resumed, from the 30th October, on the following motion by Mr. Court (Minister for Industrial Development):—

That the Bill be now read a second time.

MR. TONKIN (Melville—Deputy Leader of the Opposition) [3.41 p.m.]: Quite extensive changes will be involved with the passing of this measure, but those changes are not amendments, so we are told. Whilst I am somewhat wary—as you, Sir, have gathered before—of things I am told, I feel it is reasonable to accept what has been told us with regard to these Bills. At least I must say I cannot come to any other conclusion, but that no amendment of the Constitution is intended.

The measures sought to be revised or altered are considerably out of date and contain a number of inoperable clauses; and it is desirable for people working with the Statutes, that such Statutes as are available should be reasonably up to date. That normally involves quite a lot of work, from time to time, and it is quite often delayed, or not done at all.

So we have no objection to what is proposed. It is a desirable step; and in view of the objective it is sought to achieve, we think it should be expedited. I therefore support the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. Court (Minister for Industrial Development), and passed.

Sitting suspended from 3.48 to 4.7 p.m.

CONSTITUTION ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 30th October, on the following motion by Mr. Court (Minister for Industrial Development):—

That the Bill be now read a second time.

MR. HAWKE (Northam—Leader of the Opposition) [4.7 p.m.]: The object of this Bill is to enable the Constitution Act of 1889 to be altered in some more or less machinery manner to enable the Act to be reprinted in a clear-cut form, so that anybody reading the reprinted law after this Bill has been passed by both Houses of Parliament will clearly, and without very much difficulty, be able fully to comprehend what is contained in the major provisions of the Act.

There is a certificate signed by the Assistant Parliamentary Draftsman upon the Table of the House which states the Constitution is not to be amended by this Bill. In essence and in principle, that is so. However, there are some alterations—or amendments, if one cares to call them such—to be made to the existing legislation. These amendments do not alter the existing Constitution as such in its main principles, or in any of its principles.

The amendments are calculated to remove from the existing law some provisions which are non-existent in operation, and for the further purpose of tidying up the existing law so that the reprinted Act, when it is finalised, will be in orderly form; will be up-to-date in every respect; and will be a clear statement in law of the requirements of the Constitution, and of the things which the Constitution lays down and demands from Parliament, and from such members of the public as come under it from time to time.

The objective of the Bill, therefore, is desirable and a very necessary one; and members on this side propose to support it.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

MR. COURT (Nedlands—Minister for Industrial Development) [4.13 p.m.]: I move—

That the Bill be now read a third time.

MR. JAMIESON (Beeloo) [4.14 p.m.]: I just want to make a brief comment on this Bill, which I failed to do on the second reading because I was not in my seat at the time. On looking at the proof reprint prepared for the information of members I am not sure whether it is one of the many Acts that the Minister is having brought up to date by the employment of special legal officers. If it is then I do not think it is exactly covering the position; because rather than just hash into these particular reprints all the old phraseology, and matters that are dealt with in them, they should be amended and brought up to date.

I draw the Minister's attention to page 5 of the proposed reprint where it refers to a member of either House of Parliament in Western Australia being elected as a member of either House of Parliament in the Commonwealth. It states—

> When any member of either House of Parliament of Western Australia is elected a Member of either House of the Parliament of the Commonwealth of Australia, he shall vacate his seat in the Parliament of Western Australia on taking his seat in the Parliament of the Commonwealth.

Under the Federal Constitution that never has applied and never could apply; because before nomination day arrives a person wishing to nominate cannot be a member of either House of the State Parliament. So this sort of thing is just rehashing and putting into a reprinted Act of Parliament provisions that are completely unnecessary and should not be there.

If we intend to reprint Acts we should bring them up to date first. This is not the only instance, and if one were to go through other Acts one would find the same sort of thing. If these officers are to be employed to bring our Statutes up to date they should do their job and not just throw us a complicated piece of phraseology that means very little and ask us to agree to it. Those who have been associated with State and Federal politics know the position, but from the provision I have just read it is apparent that it is not clear to the legal people, who are prepared to maintain provisions which are completely wrong.

Rather than just pass this Bill to allow for the reprinting of the Constitution Act, which is unnecessary at this stage, I think it would have been better had it been rearranged and brought up to date by the legal officers who have been secured by the Government for the purpose. The measure should not have been brought here without first having their attention; because by passing it in its present form we are putting the Government Printer in the position of reprinting something that should have been entirely altered and brought up to date, as it is unsatisfactory in this day and age.

So I suggest to the Minister that he give thought to those aspects of the matter because it is of little use reprinting a Bill that is antiquated and quite out of date.

MR. COURT (Nedlands—Minister for Industrial Development) [4.16 p.m.]: I will reply briefly to the honourable member. The action that has been taken in connection with this measure should not be confused with the action being taken in connection with the general overhaul of the Statutes. Anything to do with the Constitution Act is always very touchy when it comes to Parliament, whether it be the Legislative Assembly or the Legislative Council. For good reason all members of Parliament are very cautious when anything is done in respect of the Constitution Act.

I do not think it can be denied that the position so far as our Constitution Act, and the Constitutions Acts Amendment Act was concerned, was very unsatisfactory. There were homeless sections, and it was not possible to reprint this measure in the same manner as it is possible to reprint other Statutes. To get the position in the clear, so far as the law was concerned, it was decided to bring this measure before both Houses of Parliament with a very carefully prepared statement by the Minister and the Parliamentary Draftsman. In this case it was the Assistant Parliamentary Draftsman, because he did all the work involved. This was to assure members of both Houses of Parliament that no attempt was being made to amend the actual fundamental law as it was on the Statute book.

For that reason I think the draftsman probably went to great pains to reproduce the measure so that members could see no attempt at all was being made to amend it. This work is not to be confused with the work of bringing the great bulk of our Statutes up to date, a task on which Mr. Clarkson is engaged.

Mr. Jamieson: Will these Acts receive the attention of this body, too?

Mr. COURT: I should imagine they will, but anything to do with the Constitution Act is handled with the greatest caution because, regardless of which party is in Government, there is a degree of concern and suspicion on the part of the other side if anyone comes to light with amendments to the Constitution Act. We wanted to make doubly sure that the concept of the law as understood by Parliament was not changed.

Question put and passed.

Bill read a third time and passed.

NATIVE WELFARE BILL

Second Reading

Debate resumed, from the 21st November, on the following motion by Mr. Lewis (Minister for Native Welfare):—

> That the Bill be now read a second time.

MR. BRADY (Swan) [4.20 p.m.]: I have studied the Bill and, overall, I intend to support it on behalf of the Opposition. In some respects, however, it would appear that history is repeating itself in that during the current Federal elections the Labor Party is accusing the Liberal Party of stealing its policy, and it would appear that the Liberal Party in this State is also stealing the State Labor Party's policy on native welfare.

As I proceed I will draw the attention of members to what I mean. Firstly, I would like to quote some of the Minister's remarks when introducing this Bill; because although I was of the opinion that this legislation could be ushering in a new era for natives in this State—and I am one of those who are hoping it will—some difficulties are going to be created for the natives when this legislation is adopted. I therefore wish to point out to the Minister some of those difficulties in the hope that his officers, and the officers of other departments, will have some regard for those difficulties and make an effort to help the natives overcome them.

As the Minister has said, the Bill seeks to continue a policy of assimilation. He went on to say—

> These amendments have been based on the progressive needs and advancements of these people towards assimilation.
>
> This goal of assimilation was defined at the conference of the appropriate Minister from each State and the Commonwealth, held at Darwin last July.

When it comes to referring to the progressive needs and the advancement of the natives towards assimilation, I draw the Minister's attention to the commissioner's last annual report, which is an extremely fine publication. I would ask all members on both sides of the House who are interested in native welfare to have a look at it. It points out how natives throughout the length and breadth of the State are trying to help themselves, and how the 34 missions and various organisations are trying to help the natives. There are half a

dozen illustrations in the report showing groups of very happy native children in missions in various parts of the State.

We all know that our natives in this State have enjoyed the reputation of having a very happy disposition, but more than one person in the last 10 or 12 years has drawn my attention to the fact that the older people who, very often, had had a happy nature had lost it and had become extremely sour in their general outlook. I think there are reasons for that, and as I proceed I feel sure the Minister will agree with the points I will make.

During the last 10 or 15 years a great leap forward in native welfare has occurred. I am not trying to take any credit away from the efforts of the present Government in this regard. I believe that the Government at present in office and the previous Labor Administration have both played their respective parts in this sphere, and I am hoping that in the future we will all be able to play our parts to further the welfare of natives in Western Australia. If we do, our consciences will be clear in regard to our treatment of these people. I think it can be said that the older native people who were subjected to the indignities of the policies laid down by past Governments have now passed on, and the natives of this era are desirous of adopting our standards and way of life; and, with our co-operation, they will do just that.

The following remarks of the Minister will lead up to the main point of my address to the House:—

> Many of these people are now reasonably well educated and are living decent, respectable lives.

In that I could not agree with the Minister more. This state of affairs is attributable, as I said earlier, to the fact that everybody who can possibly help is trying to do so. This includes officers in the Native Welfare Department, the Crown Law Department, the Education Department, the Medical Department, and the people employed in the missions and various organisations set up to assist natives throughout the State. As a result, the natives themselves are beginning to show signs of improving their standard of living following the long and tedious efforts that have been made to uplift them.

I consider that whilst the Minister has gone a long way, with this Bill, in his efforts towards lifting some of the stigma on the individual natives, he must try to appreciate, get the officers of his department to appreciate, and—more particularly—get the Minister for Housing to appreciate, the urgent necessity for more suitable housing for these people in the various districts throughout the State. I believe that in one area alone there could be 500 or 600 natives who require houses equal to the standards set for native housing in other parts of Western Australia.

Only in the last 48 hours I have heard of the difficulties of high school children and teenagers in attempting to pass their examinations—difficulties due to their home conditions, which do not encourage them to settle down and to continue their education through the higher classes to pass their Leaving, and so on. If these conditions are allowed to continue it will be a tragic state of affairs. In all directions it can be seen that the natives who are given an opportunity to improve their standard of living are taking full advantage of it.

Two nights ago I attended the annual meeting of the Allawah Grove administration group. The committee of white people who are trying to assist the Allawah Grove natives to adopt a decent standard of living have published an annual report, and many of the points in it I feel sure will be of interest to members. I will not quote all of them, but I want to mention one aspect that requires urgent attenttion. Portion of this report, dealing with the progress association, reads as follows:—

> I have to report a gradual improvement in ideas of home making. More and better furniture has been put into flats this year. Lawns and gardens are now to be seen at nearly every flat. One young family showed such marked improvement that they were allotted a flat that had been newly lined, painted and a bathroom added. They immediately furnished it in attractive style with new lounge suite, linos and TV. Regular employment and sobriety has enabled them to advance to the stage where they should soon qualify for a standard house in one of the suburbs. It is hoped the State Housing Commission will be ready to allot a house when a satisfactory record of regular work and home-making ability has been created.

From the answers given to a series of questions asked in this House I would say that the absolute minimum number of houses has been built for natives in the metropolitan area during the last three or four years; I would be surprised if the number was greater than five or six. Some early action should be taken by the Government to induce the Minister to help the natives living in Allawah Grove, and those visiting the residents in Allawah Grove, to get into better housing. I hope the Minister and his department will take a greater interest in Allawah Grove, and regard it as a pilot housing settlement for natives in Western Australia, and possibly Australia, so as to encourage these people to do the right thing when they are allocated houses.

I personally rented a house to a native in the metropolitan area for approximately 2½ years. Recently it was pulled down, and I asked the person doing the work to save

some of the materials used internally, for the purpose of using them elsewhere. He told me that the state of the materials inside was such that he could not recommend their use, because cockroaches and flies were in evidence. That could be the position. After renting the house to the native couple I did not put my foot in the front door. The husband appeared to be a regular and good worker, and his wife was reasonably clean. I can understand they would have no appreciation of the hygiene and housing standards of the white people of the community, after having lived in mia mias and bush camps.

I refer to the experiment being conducted in Murgon in Queensland where native women are being trained in housekeeping, cooking, and household chores. They are being encouraged to undertake normal housekeeping activities. It is possible the Minister has been there and has seen this settlement, which is run as a cattle station by the Queensland Government.

I refer the Minister to the report of the Commissioner of Native Welfare for 1962. On the subject of housing, taking one district only—the report deals with the other districts in much the same strain—it had this to say—

> Northern District
> West Kimberley.
>
> It is impossible to measure the gratitude of the people who were selected to fill the vacant houses, so pleased were they. Most local people do not think the houses will last very long in their present pristine newness, but indications are that the occupants really treasure their dwellings.

Dealing with the housing position in Broome it had this to say—

> Housing continues to be of a low standard.

Dealing with the position in Wyndham it had this to say—

> Four native families occupy State Housing Commission houses but other natives who applied for Housing Commission assistance during the year were successful.

Dealing with the position in Halls Creek it had this to say—

> There is an urgent need for more homes, especially the type 1 for the aged pensioners.

I could go on quoting from the report relating to other districts. It points out that housing is an urgent and immediate requirement for natives throughout the State. I do not doubt that the Minister is mindful of this shortage, but he is unable to provide houses from the native welfare vote; therefore I hope the other Ministers in the Government will have some regard for the difficulties confronting the Minister for Housing and will assist him.

The Government is now putting a Bill through Parliament to remove a dozen restrictions or more, which affect at least half a dozen other Acts. Some five or six years ago when the Labor Government was in office the same members who are now Ministers in the Government questioned the advisability and the necessity for Parliament to pass amendments to the Native Welfare Act. I hope they realise the importance of the legislation they are now introducing. The provisions in the Bill will assist the natives considerably to become citizens.

As a Minister in the Government in 1957 I attempted to have legislation passed to abolish the Natives (Citizenship Rights) Act; but the Opposition—which is now the Government—opposed the measure. The comments made by the then member for Vasse were along these lines: Natives could have all the things sought to be provided under that Bill if they would only behave themselves. The present Premier did not think at the time that what the then Government was attempting to do would help the natives to achieve what was sought in the Bill. Now we find the Government is bringing forward an almost identical type of legislation. I hope, for the sake of the natives, that it will pass through both Houses.

I trust the Government will help the Minister for Native Welfare in the huge responsibility that will fall on his shoulders as a consequence of the passing of this Bill. One of the first steps the Government should take is to repeal the Natives (Citizenship Rights) Act, which places a stigma on natives and keeps them below the standing of the white person in the community. The leading article of this morning's issue of *The West Australian* points out that if the Government continues to retain that Act on the Statute book when this legislation is being considered by Parliament, it will be doing a great injustice to the natives. I could not agree more.

I hope the Government appreciates that the Minister for Native Welfare will, with the passing of the Bill, have a great responsibility thrown on his shoulders; and the responsibility of the Child Welfare Department will be doubled in regard to the care of native children. Greater responsibility will also be placed on the Police Department in regard to native women, because one clause in the Bill provides that cohabitation with native women will no longer be an offence. Whilst under the existing Act a great deal of protection was accorded to native women, in the future there will be none; and only the Criminal Code, the Police Act, and the Child Welfare Act will be able to prevent native women—from Wyndham to Esperance, and from Jurien Bay to Warburton—from being molested by unsavoury white men who consider native women to be mere chattels in our community.

I agree with the provisions in the Bill before us, but I want the Minister and the Government to realise that from now on they will have a greater responsibility to the native population. It is no use legislating to bring the native population up to the equal of the white population, while they are denied the right to full employment, to housing, to greater education, and to all the other facilities which the white community enjoy.

Turning to the provisions in the Bill, a great step forward is being made by financing the activities to be conducted by natives—whether they be on the land, in secondary industry, in tertiary industry, or in other activities. In the past the Minister suffered some disability, because a native had to transfer the title deed of his property to the department or the Minister before he could be given such financial assistance. The Minister is to be empowered to finance the activities of the native population on a mortgage basis, the same as applies to the white citizen. This is a right step forward, and will encourage the natives to set themselves up in various activities.

In my travels throughout Western Australia I have found natives undertaking business enterprises successfully. I shall name a few instances, but I could name many more. In Broome a native undertakes the whole of the baking requirements of the white population, and he conducts this business as his own enterprise. I struck another native in Chinatown near Broome who was engaged as a butcher, and he handled all the meat supplies for that town. There was a native electrician in Derby who undertook the majority of the electrical work in that centre. I also struck another native in Derby who produced various novelties made from sea shells. He is a cripple living in the mission there. I hope that when this Bill is passed the Minister will be able to give assistance to such people.

When I was a Minister in the Labor Government I tried to set up a native couple in business, in a small way, in Allawah Grove. The woman was very enthusiastic and anxious to make it a success, and I hoped it would become a small co-operative, but the husband had no interest in it. Ultimately the business closed down. I felt at the time it might turn out to be a failure. But the risk was worth it, if only I could succeed in establishing a co-operative among the native population there—just as other native co-operatives are booming in other parts of Australia, particularly in Queensland and New Guinea where the Rev. Mr. Clinton has encouraged the establishment of co-operatives among the natives. I hope the Minister will succeed, through the assistance of the Treasurer, in making available sufficient finance to set these people up in enterprises, not only in primary industry, but also in secondary industry, and in other similar activities.

One of the most vital parts in the Bill will remove about four pages of provisions which now exist in the Act, relating to natives living north of the 26th parallel. Up to now they have had to obtain special permission to travel south of that parallel, when they are required to come to the city to receive medical treatment, to engage in sporting activities, or to come here on holidays. For many years it has been held that natives were carriers of leprosy, and it was feared they could bring that dread disease into the metropolitan area. The Bill seeks to remove the present travel restriction, and I agree with the move. The Minister has over the years, as I have, issued many travel permits to enable natives to come to the city to receive medical treatment, to participate in sports, and to come on vacation.

It is true that modern transport today does not enable these provisions in the Act to be policed as they should be—if it is necessary to police them. Leprosy is not the dreaded disease it was in the early part of the State's history. Fortunately, the mission sisters in Derby and in other leprosariums throughout Australia are getting well on top of it, and medical science has practically got the better of it.

I remember being in the Derby leprosarium about 1958 and I saw a truckload of lepers being brought in. A young lad of 12 walked along the verandah and I said to the sister, "Surely he has not got it!" She said, "I do not know; I will have a look." She turned him around and there was a slight brown scar on the back of his neck; and she said, "Yes. He has apparently been noticed by a policeman in the outback and been sent in."

Both the young and old are encouraged to get immediate treatment. The disease is referred to as the "big sick;" and immediately they get it, they seek medical attention. For that reason most of them now are being cured in the hospitals and leprosariums. So, while people in the metropolitan area may criticise the Minister for removing these restrictions, I feel he is doing the right thing. They may have been desirable in the past, but there is now not the risk, and the natives do not try to come south when they know they are suffering from the big sick. Therefore the Minister has my support in regard to the deletion of these restrictions.

Under the Act, the Commissioner of Native Welfare is the legal guardian of the native children. I am sure the member for South Perth will be pleased to know that this provision is being deleted, because he was always hostile about this matter. Under this Bill the commissioner will no longer be the legal guardian of native children. As I said before, this

will throw greater responsibility on the Police Department; the Child Welfare Department; the missionaries; and, to a lesser extent, on the native welfare officers, to see that children are not exploited in regard to work and also in regard to their welfare in attending schools where they are available; and they must ensure that they receive the proper treatment in their homes, if they live in homes. If they only live in mia mias, they have a very poor outlook. It was drawn to my attention only within the last two or three days that some children attending high schools cannot settle down to their studies because they do not have proper housing accommodation.

I have already referred to the fact that the provision dealing with cohabitation has now gone by the board. If there was one section in the Act which I might have requested the Minister to retain, it would have been the section which states that cohabitation shall not be permitted. I have checked up in what I regard as the most essential quarter in Western Australia to see whether it is felt that sufficient protection exists for native women. I am assured that the Police Act, the Criminal Code, and the Child Welfare Act provide ample legal protection for these women. Therefore I will support the Minister in this particular matter.

The estates of natives in the past have been administered by the Department of Native Welfare. Under this Bill the Public Trustee will be expected to look after the affairs of natives the same as he looks after the affairs of white people. There can be no objection to that. In fact it might be a very good thing for the education of natives to encourage them to go in and out of the Public Trustee's office and other probate offices to discuss their estates. It is a remarkable thing that in tonight's *Daily News* there is a report of a case which occurred in Darwin within the last two or three days. The magistrate accepted the will of a native who signed it by a mark of her thumb. Therefore, apparently, the natives in the Northern Territory are encouraged to draw up wills and have them witnessed; and if they are illiterate, to sign with a thumb mark, these marks now being accepted in law by the magistrates. So I will support the Minister all the way in regard to his amendment of that section.

I would point out that for many years now the Minister has had the right under section 6A to purchase land and to resell it, lease it, and so on; and I hope that the Minister will stress to his Government the necessity for greater sums of money to be made available to him in order that he might do just that. To me it has been ironical, and almost heartrending, to know that in the last few weeks we passed legislation to give people in the north and the East Kimberleys the right over millions of acres of land till the year 2,000 odd; yet these natives—descendants of people who travelled over this land for 200 or 300 years—have been precluded from the right to buy a quarter of an acre of land if they wanted it. Therefore, I hope the Minister will take steps to buy areas of land in every possible district in order that he might resell them to natives.

It is stated in the annual report of the Native Welfare Department that the money now made available to the department is about £1,300,000. Some £700,000 of that—or approximately half—goes in reimbursements to the Medical Department, the Education Department, and the Police Department; and that does not leave a great deal of money for the Minister to place these natives on the land and purchase plant and machinery, etc., which they require in order to help them become fully-fledged citizens.

By and large, I support the amendments contained in this Bill. I cannot see that they will do anything but good. I have referred to the fact that there will be a native training fund established, the money from which will be used to encourage the natives to produce articles. I have also referred to the fact that the provisions insisting that natives seek permission to come south if they are living above the 26th parallel, will be deleted.

There is another provision which states the Minister may extend this Act to persons of less than full blood who are not natives. That is a very desirable amendment, because we know that many folk who are less than quadroons or quartercastes are still virtually natives. They have lived in native camps all their lives and some have been reared like the natives. Some have lived with and been brought up with children who are natives, while they are not natives. Some of them have parents who are black, but who are not natives; and so there are complications.

I remember reading recently of a family as white as I am. I know the family quite well. They have lived under native conditions all their lives, but are virtually natives. They are illiterate and have a very poor standard of hygiene. The provision in this Bill will now allow the Minister to give those people assistance if it is felt advisable to do so. That is a desirable clause because these people do not know anything other than the fact that they are virtually natives.

Under this Bill the section in the Act making it an offence to engage native youths or families in various jobs and on ships, has been removed. The Native Welfare Commissioner had the right to step in on the part of adult natives to protect their property in certain cases and where it was desirable. The particular portion being removed consists of the words "the due preservation of property." The provision stated that the powers conferred by the subsection would be exercised except in the case of minors without the

consent of the native except for the due preservation of property. I take it that the effect of that amendment will be that the commissioner will only be able to undertake certain things now on behalf of adult natives if they, the natives, give him the right to do so.

Mr. Lewis: On request.

Mr. BRADY: Yes. Those are the main amendments in the Bill. Several other Acts are being amended; and although they are not very lengthy Bills, I will speak on them, but only briefly.

In 1957 when I made a move to provide natives with full citizenship rights, I referred to the fact that several other Acts would have to be amended also; and I feel that some of them have been overlooked by the Minister. Those Acts to be amended were the Constitution Act; the Criminal Code, which we are amending; the Dog Act; the Electoral Act, which I think we have amended; the Evidence Act which we are amending; and the Fauna Protection Act, and while I do not recall the exact amendment necessary, I did state at that time that it was necessary to amend this Act. The other Acts were the Firearms and Guns Act, which we are amending; the Land Act, which we have amended; and the Licensing Act, and the Mining Act, which we are amending.

Perhaps the Minister might look into the matter and ascertain what amendments are necessary to the Dog Act, the Electoral Act, the Fauna Act, and the Land Act, which all had provisions dealing with natives, although some of them were beneficial.

I support the proposal of the Minister and I hope that the next 15 years will bring an even greater leap forward in the welfare of natives in Western Australia. Probably within that time natives will all be accommodated in decent houses and the days of mia mias will be gone by the board and will only have an historical significance.

MR. W. HEGNEY (Mt. Hawthorn) [4.59 p.m.]: I propose to pass a few comments on this legislation. First of all I would like to say that it represents another important step forward in removing from the Statutes the discrimination shown against members of the native community. It is rather refreshing to realise that the Minister for Native Welfare, on behalf of his Government, owing to the force of public opinion, has seen fit to make such very important changes as are contained in this Bill.

I have a very strong recollection that in 1954, which is only nine years ago, as Minister for Native Welfare I introduced a Bill to radically alter and repeal many of the provisions of the Native Administration Act. I have just looked up the 1954 Act, and I find we were successful in repealing no fewer than 30 repugnant provisions in that measure. Unfortunately we were unable to have a few more such provisions repealed on that occasion, but they are now provided for in the Minister's measure.

The question of supplying liquor to natives has been a contentious one over the years; but I think the average person will readily agree that natives obtain liquor anyway, whether legally or illegally. As a consequence they pay much more than the white man does for liquor and on some occasions they probably do not get the standard of liquor to which they are entitled. That is just one phase of the position.

The matter of extending citizenship rights to natives by amending the Electoral Act has been dealt with. I am surprised—I do not know the reasons that prompted the Minister; he may have some explanation—to find that the Natives (Citizenship Rights) Act has not been repealed. That Act was introduced in 1944 and amended in 1951. By the 1944 measure, a magistrate constituted the board to whom natives could apply for citizenship, though of a second-class nature. In 1951 the then Liberal Government made it more difficult for natives to obtain citizenship inasmuch as it decided to amend the Act to provide that a second person should be placed on the board, and that the decision should be unanimous.

We took the view that there could, in some cases, be a person placed on the board who would be antagonistic to extending rights—apart from privileges—to natives; and up to that time, and until some years later, if a native committed two offences application could be made for the repeal of his citizenship rights.

I have always held the view that citizenship should be something sacred; that once a person had it bestowed on him it should not be taken from him. That was the position up to 1958, and I am pleased to remark that in that year the Act was amended to provide that once a native obtained citizenship he could not have that right taken from him.

In view of the development of the legislation, I think—I may be wrong—it is incumbent on the Government to repeal the Natives (Citizenship Rights) Act and extend to every person in this community, whether black or otherwise, the same rights as we have. I think it is section 72 of the Act which provides for the issuing of exemption certificates. That just shows how ridiculous is the position that one can be placed in. I remember one particular incident as clearly as if it had happened yesterday.

Up till now the Act has provided that an exemption certificate could, for certain reasons, be cancelled by the Minister. But

if the Minister cancelled the certificate, the aggrieved person could apply to a magistrate for the reinstatement of the certificate; and this is the incident of which I spoke: The magistrate in a certain place convicted and fined a native for the second time for a comparatively minor offence, and he recommended that the Minister cancel the certificate. When I read the recommendation and the circumstances of the case, the thought immediately occurred to me: If I cancel the certificate, the native will have the right of appeal to a magistrate; and the native was in the magisterial district of the magistrate who had made the recommendation. I felt it was a distinct case of a man appealing from Cæsar to Cæsar.

As a matter of fact I make no apology for saying that while I was Minister, no exemption certificates were cancelled. As far as I was concerned, I let it be known to the other departments that the policy of the Government was that once a native obtained citizenship rights, no action was to be taken to have him deprived of them.

The position has changed somewhat, apparently, since 1944; and, as I said previously, it is pleasing to note there has been a different atmosphere over the years on account of the mounting public opinion against discrimination. I think the situation that obtains in South Africa has accentuated the position and made a lot of people in Western Australia do some deep thinking.

I do not propose to take up the time of the House much longer. Suffice it to say that the Bill is most desirable. One or two explanations, I think, are necessary, and they will probably be very simple ones.

I am open to correction on this point, but I think the member for Swan said the commissioner would not have legal custody of native children. There are a number of provisions in the Act providing certain powers, duties, and so on for the Commissioner of Native Welfare; and in the Bill it is proposed, apparently, to transfer some of those powers and have them designated by way of regulation, because the Bill, in clause 37, says this—

> (2) Without limiting the generality of the powers conferred by subsection (1) of this section, the Governor may make regulations for or with respect to—
>
> (a) prescribing the duties of officers of the Department, representatives, managers, and any other persons employed to carry into effect the provisions of this Act;
>
> (b) prescribing the manner in which the Commissioner may delegate under subsection (1) of section fifteen of this Act, and the manner in which the delegation may be proved;
>
> (c) providing for the control of the receipt and payment of money, classification of accounts, authorisation of expenditure, and all matters pertaining to the management of the accounts of the Department;
>
> (d) providing for the care, custody and education of the children of natives;
>
> (e) providing for the control, care and education of natives in native institutions, and for the supervision of native institutions.

The Minister will most likely be able to explain why some of the present sections of the Act have been removed and provision made for certain things to be done by way of regulation.

MR. NORTON (Gascoyne) [5.13 p.m.]: Like the two previous speakers, I support the general provisions of the Bill which go a long way to making the native a full citizen. The Act, as amended, will become an almost true welfare Act.

I feel that in the long run the present Statute will have to be abolished and become what is generally known as a welfare Act. By this I mean that the Child Welfare Act and the Department of Child Welfare will likewise have to be abolished and the two welfare Acts amalgamated; because, as we go along from time to time we find that the cross in the black and the white—and through the various stages of the coloured people—is getting to the stage where the fractions are difficult to discern.

The Bill before us still provides that persons who are quadroons, or more, shall come under the Native Welfare Act. The position now is that we are getting down to a fraction of 1/128th, and even as low as 1/256th. With such families coming along, we will have great difficulty in distinguishing whether a child should come under the Native Welfare Act, or whether he is a white person. Only this last winter I had a considerable amount of experience in this respect; that is, where a child, or a family, is what I might term in the marginal class, and there is no proof as to which side of the fence the child is. In such cases neither the Child Welfare Department nor the Department of Native Welfare wishes to take action.

Quite a number of such cases have occurred in Carnarvon this year. In one instance there were 17 people living in a three-bedroom house. The Child Welfare Department did not want anything to do with the case, and apparently the Department of Native Welfare could do nothing because it could not prove whether the people were natives or not. So, as we go through the various shades of colour, we might have a family in which the mother

is a quadroon and the father is a person of 1/128th caste; or the mother might be a half-caste and the father 1/64th caste. What then is the percentage or fraction in which the children are to be classed? I believe that the officers of the Department of Native Welfare now do almost a special course to learn how to work out these family trees in order to find out where the children come in.

That is why I say the Native Welfare Act, as such, must eventually be abolished, and so must the Child Welfare Act, and the two must be amalgamated as a general welfare Act so that all these people can be looked after as one family, as it were. At present throughout the north-west we have a large number of native welfare officers but only one child welfare officer, who goes as far as Carnarvon once every three or four months; and this has only applied recently.

During last winter, which was one of the wettest winters we have had—the second wettest on record—I had a look at some of the habitations around Carnarvon in which these people were living. Whilst I did not see them all, I did see at least 70 children who were living in jerry-built corrugated iron humpies, or in tents, or in other totally unsuitable accommodation. Quite a percentage of the children were of the marginal class and were the responsibility of neither one department nor the other. This is an aspect which needs to be well and truly looked at in order that we may know just where we are going; and it is very nearly time that something was done.

One of the great difficulties with the coloured person today is that in many cases, and more particularly in the southern parts, he is a seasonal worker. Whilst he is working he lives in reasonable conditions; but once his seasonal work finishes he is more or less at a loose end, and there is no habitation for him to go to. He is then practically forced back onto the reserves, which, until recently, have not supplied him with the accommodation or hygienic facilities that are necessary to raise his living conditions up to our standards. Yet whilst the coloured man is living and working in the pastoral or agricultural areas, he does have those facilities.

The fact that in the past the coloured people have received social service or unemployment benefits has given them quite an uplift; and although they have not been able to go into accommodation of the sort that we would like them to go into, they have had something to carry on with.

It is pleasing now to see that the commissioner will have power to lend to natives, if it is only to assist them to develop an industry or to take part in agricultural pursuits. It is, however, rather disappointing to notice that no provision has been made whereby the Minister or the commissioner may make money available for the building of houses.

I know of several families at Carnarvon who hold freehold land, and are desirous of building their own homes. They have a fair amount of money to use as a cash deposit on a home, but they do not want to build a type of house which is prescribed under the provisions of the State Housing Act. As members know, the regulations under that Act provide that a house has to be built according to certain standards so that in the event of any tenant falling down on his payments it can be readily sold. It can be understood, therefore, that the State Housing Commission does not wish to reduce the standard it has set.

However, these native people I have in mind have had up to £200 in hand, and have been desirous of building a three-bedroom house with a sleepout—according to the size of their families—but as far as they are concerned it would be prohibitive to build a house which met with the requirements laid down by the State Housing Commission because the cost of such a house would be approximately £4,000. A bungalow type of home, probably with just a lining instead of an external wall covering, would be most suitable for the climate in Carnarvon and could be erected at a lower cost to meet the needs of the native people. If we are to encourage natives to reach a suitable standard of living we must first of all give them an opportunity to build their own homes and provide assistance for them.

The educational needs of natives are being well provided now with the building of school hospitals and the provision of other educational facilities in State schools at various centres throughout the State. The natives are becoming more conscious of the need for better education, and they are almost clamouring to have their children enter missions—such as the one at Carnarvon—to be educated, and to enter the various school hostels that are being built. They recognise the benefit of education, and there is no doubt that this is one of the most important ways by which they will uplift themselves. Nevertheless, if they are going to have their children attend these various institutions to improve their education, and those children are then to be allowed to return to the native reserves, all the good work that has been done and the progress they have made will, to a great extent, be lost.

There is one clause I cannot quite understand. That is the one which refers to the appointment of a deputy commissioner, who is also mentioned in the Act. The Act states that a deputy commissioner shall be appointed, and he will have all the powers and rights that the commissioner has, whether the commissioner be present or not. I am wondering how that will work out. As I have said, such a provision is in

the Act now, and it seems rather strange that a similar provision should appear at the bottom of page 7 of the Bill. This reads—

> The Governor may appoint a person to be the deputy of the Commissioner and that person when so appointed is authorised to exercise any power and perform any duty that the Commissioner may exercise or is required to perform under this Act, whether the Commissioner is absent or not; but the appointment of a deputy does not affect the exercise or discharge by the Commissioner himself of any power or duty.

It seems to me that under this clause we are to appoint two men who will have exactly the same powers. The officer who will be classed as deputy commissioner will have the same powers in every way as the senior officer in the Native Welfare Department irrespective of whether the latter is present or not.

The Bill is practically a welfare Bill. There have been quite a few changes in the definitions, mostly in respect of staff; but when they are studied more closely it is found that the staff would be more or less operating under another name. With these few remarks, I support the Bill, and I trust that in the near future the present legislation will be repealed, and we will have in its stead this Native Welfare Act.

MR. MITCHELL (Stirling) [5.21 p.m.]: I want to make some comments from this side of the House on this very important Bill, and firstly to say how pleased I am about the course it will take and the fact that it is not meeting with any opposition from any member of this House. When I first entered this Chamber I made some comments on native welfare, and expressed the hope that, in working together, not only the members of this House, but the people in all parts of the State, would do something in the near future to solve the serious native problem confronting the people of Western Australia.

It has often been said that the natives in the north are much better off than those in the south in that those in the southern areas have had a very difficult time over the years. There are three or four important steps that must be taken by Governments in office—no matter which political party they may be—to assist them. One of the most important needs is housing. Whilst this problem is receiving serious consideration, and great progress has already been made, it is still an extremely pressing one and will not be solved by the small housing contributions that have been made to date.

I believe something more specific has to be done in the way of providing more loan funds to build more houses for natives. This will have to be done quickly because there are many natives, particularly in the southern areas, who are quite fit as individuals and family men to enter a reasonable type of native home, but it is extremely difficult to find such homes for them. So I am hoping that, as a Government, we will be able to find more finance to provide housing for native people in the near future.

The best of attention is being paid to the education of these people. Here I would pay a tribute to the south-west native missions, and others of a similar character which are working in the southern areas, for their fine efforts among kindergarten children, or younger children, on the various native reserves. I believe the problem can be tackled at this point, and once we start these young children on the right road we will have achieved much towards reaching the goal at which we are aiming. The work which these people are doing is very desirable and worth while. They are also assisting in native family life, as it were, by teaching the womenfolk to have a better understanding of what is required of them to keep decent homes for their husbands and families.

Another aspect of native welfare to which we must give serious consideration is what to do with the children after they leave school, and before they become old enough to take up full employment. It is at this stage of their lives that much of the work that has been done for them —especially among the younger children and the school children—is being lost. The children, as such, are readily accepted in the schools without any discrimination, but immediately they leave school they tend to revert to camp life. This applies particularly to the young native girls, and it would seem that nothing is being done at present to tide them over that transition period from childhood to adulthood.

The other main problem, on which I have spoken on several occasions—and on which I will continue to speak—is the question of what is to be done for these people after we have adopted them, after we have provided reasonable housing for them, and after we have accepted them, more or less, as being part of our community. I believe that many of them should have the right to accept and enjoy something better. That can only be done if land is set aside for them so that they can become farmers or landowners in their own right. I am pleased to notice that this Bill does provide for just that. This legislation will enable the Minister to provide finance immediately for many other facilities for natives which white citizens now enjoy. I consider that this represents one of the best aspects of the measure now before us.

Some years ago, when a fair-sized land subdivision was being made in my own area, I was instrumental in having some blocks of land set aside so that eventually

they would become available to native settlers. To date, of course, that land has not been used because no finance has been available to develop it and not many of the native population are sufficiently educated in farming practicies to be able to take their places as farmers. However, I am hoping that, before long, we will see some reform of this aspect of their lives and that they will be able to take up this land and make a useful contribution to the farming activities of the State which will also give them an opportunity to take their place in the community, and thus get them out of that rut they are in at present.

One of the members opposite mentioned that the events which had occurred in other countries of the world had caused the people of this State to give this question more consideration than they had done in the past. Such an assertion is only too correct. Over the past few years the people in this State have become much more conscious of the serious native problem that is confronting them; hence the reason for the Minister introducing this Bill to remove most of the restrictions placed on the native people and allow them, at last, to feel that they are, by right, full citizens of this State.

So I have much pleasure in supporting the Bill, and I can assure everybody that it is my earnest desire to see any Government in office help these people to enjoy a better standard of living.

MR. W. A. MANNING (Narrogin) [5.28 p.m.]: Much has been said over past years about the necessity to help the native people. We agree with that, because the lack of progress in this field over many years required something to be done for them. We have now reached the day when the Bill before us represents one of the greatest steps forward we have ever taken to improve the status of natives. This measure provides for them to be citizens of the State, and to allow them to enjoy all the privileges of citizenship in the same way as anyone else.

I want to emphasise one or two aspects of what has been mentioned. Having been granted certain rights, these people also must accept certain responsibilities to the State; responsibilities to observe the law; and responsibilities to look after themselves. This side of the problem has to be emphasised even more today than it has been in the past. Over the years we have seen the great difficulty that has been experienced in persuading natives to take their place in the community as we would hope they would, or even to take an interest in community affairs; or, still further, even to take an interest in themselves, which often they fail to do.

Only in the last week or two I have spent some time with natives who have been given an opportunity to occupy a State Housing Commission home, or a special training home which has been erected at Narrogin. These people, despite the fact that they were selected as being the more promising type of native to enjoy these privileges, have not appreciated, or used to advantage, what has been done for them. In fact, they have destroyed any opportunity that may be offered to them to continue to live in houses among white people, because their yards are filthy, their living conditions are substandard and disgusting, and they take no interest whatsoever in communal affairs.

What are we to do with people like that? Are we to continue pulling them out of one house because it is filthy, and providing them with a new one in its stead? We would not do that for the white people. Now that we have made this advance towards helping the native people, they must be taught to live as we want them to live. They must be taught to respect other people's property, and look after their own.

We know how difficult it is to get a native to take an interest in a job. I know of innumerable natives who have been given jobs in the country—jobs which could have been permanent. They would work for a week or two, and then take a couple of days off; after which they would work for a further week or two, and take some more time off. I know there are others who have proved themselves, and have been able to retain permanent jobs. But they are the exception rather than the rule.

Something must be done to help these people to stand on their own feet. We cannot do that by pampering them all the time; we cannot do that by advancing them loans for houses, or for the other things they might require. If we did that for the white people we would find they would soon deteriorate in their habits. We must take a firm stand in this matter.

I recall an occasion when a native approached me while I was dealing with the question of houses for other people, and he asked me about getting him one. I asked him what his position was—though I had a good idea—and he replied that he was a shearer. I then asked him what he was earning—I knew he was quite a good shearer—and he said he would get a cheque of between £50 and £60 per week. But when I asked how much money he had for a deposit on a house, and for furniture, he said he had none at all. I then asked him what he did with all his money, to which he replied he spent it.

That is the sort of thing with which we have to contend. Here we have a man who is wanting a house; and although he is earning good money, he is not prepared to spend it on a house. It is typical of these people. That is not an exceptional case; it is prevalent among the natives generally.

We tried to start a scheme among the natives to encourage them to open bank accounts. We thought this might help them to know the purpose of a bank. We found however, that they would put a pound or two in one day and pull it out the next. We are faced with such problems day after day. Now we have a Bill which endeavours to grant them certain privileges; but, as I have said in the past, we cannot give a native anything by Act of Parliament. We can provide the opportunity for him to do certain things, but if he does not grasp that opportunity there is very little else we can do. Something should be done to urge natives to take advantage of the opportunity given them.

We could help them by telling them, "Here is a job for you; you have an opportunity to work. There is a house for you; you have an opportunity to build up a decent home if you are prepared to try." There are, of course, natives as there are white men, who are not prepared to try to help themselves. I am very enthusiastic about this measure.

Mr. Moir: You do not sound it.

Mr. W. A. MANNING: As I have already said, I thought I should also present the other side. The Bill gives the natives an opportunity, and our biggest job is to persuade them to grasp that opportunity. If we could do that we would have done something worth while. Without being able to do that the Bill is of no use at all. Although we might say we are proud of this provision in the Bill, or that provision in the Bill, it will serve no useful purpose at all, unless the natives pull themselves into line, and show that they can accept the opportunity we are attempting to give them. That is the point that needs great emphasis in our community today. I support the Bill.

MR. RHATIGAN (Kimberley) [5.35 p.m.]: I do not wish to delay the passage of this Bill, but I would like to say my usual few words. I have spoken on similar matters ever since I have had the honour to be in this House. I am sure members will be getting a bit weary of the usual speech I make in regard to native welfare and natives generally.

I have always claimed, and I still maintain, that the Department of Native Welfare should be abolished. By abolishing the department we would do away with the Act, thus enabling the natives to automatically become citizens. I have nothing against the personnel of the Department of Native Welfare; and nothing against the commissioner or his officers, who are stationed throughout Western Australia. I believe, however, that the Department of Native Welfare should be set up as a department to care for those in need, irrespective of their colour.

Let us retain the officers of the department, and let us call it a social services department, or whatever name we might think suitable, which would cater for those in need; and help people in the filling in of forms for old age pensions, child endowment, and so on.

The Minister for Child Welfare would probably not agree with this, and it is possible that others also might not agree with the suggestion. But the abolition of the department would automatically abolish the Act and thus allow natives to become citizens; it would bring them out into the open.

At the present moment we are building offices everywhere for the Department of Native Welfare. As a matter of fact this afternoon I was going to ask the Minister a question about the offices in Wyndham. All the money that is being spent on the administration of the Department of Native Welfare is just going down the drain. We should give the natives complete citizenship rights; and it is not necessary to pass an Act to do that. All we need do is to abolish the department, and they will then automatically become citizens.

As I have said, I have nothing against the officers of that department; indeed I have the greatest admiration for them. The present commissioner worked under me when I was an officer of the Department of Native Welfare some years ago, and he is a very capable person. So are they all. But we must get away from making these people a political football. Let us face up to the fact. We could combine the activities of the Department of Native Welfare—after having abolished it—with those of the Commonwealth Government, after which it could cater for those who are in need. The very fact that a native has a department to cater for his needs puts him at a disadvantage from the start, irrespective of the benefits he may derive under the Act. I ask members to give my suggestion some serious consideration.

Unfortunately I was in the Kimberleys when the Minister introduced the Bill, and accordingly all my information on it has been drawn from the Press. I support the Bill, but I do not think it goes far enough. We would establish a very satisfactory state of affairs if we abolished the department completely. We all know that when the Department of Native Welfare was first formed it employed a doctor to cater for the natives. It was a difficult job. It was necessary for him to tour the whole of Western Australia looking after the health of the natives. Hospitals were also established by the Department of Native Welfare. Those duties, however, are now carried out by the Health Department.

Previously the educating of natives was also controlled by the Department of Native Welfare; but now that is a function of the Education Department. Quite apart from this aspect, the missions do an amazing job for the natives right through the State, irrespective of their religious denomination.

As I have pointed out, these were all functions of the Department of Native Welfare years ago, but it no longer looks after the health of the natives or the education of the natives; because these are now the functions of the Health Department and the Education Department.

I well recall that in 1954 the member for Mt. Hawthorn, as Minister for Native Welfare, introduced a Bill into this House seeking to give natives complete citizenship rights. The members on the Government side, who were then in Opposition, howled it down. But now those same members have somersaulted, and they are producing something almost similar; although they do not provide that the native is a citizen. He has voting rights, and the right to drink intoxicating liquor. This brings to mind the Bank Bill on which members opposite somersaulted.

The native is an individual and should be treated as such, without being made a political football. The Minister did away with his original idea of restoring the term "aboriginal"; even though it was reported in the Press that it was his intention to adopt that term.

I was not at all happy with the speech made by the member for Narrogin. It occurred to me that he was castigating the natives. I am not familiar with the native population in Narrogin, but I think the honourable member's speech was an insult to the natives of that town.

So far as the natives of the Kimberleys are concerned, I can say without fear of contradiction that without them the industries there would not be able to function. They are essential personnel on the jetties, on the stations, on the wharves, and everywhere else. We must take the word of the member for Narrogin that the natives in that town knock their houses and their property around. But that, of course, also applies to white people. We get the good and bad in all communities. Incidentally, I might say here that I would like some houses provided for natives in the Kimberleys—more houses than there are at present.

I would like to mention something that happened when I was in the Department of Native Welfare at Carnarvon. I was in my office, together with an employee from the State Housing Commission—who is unfortunately now deceased—when a native came in with a cheque for £200 from the whaling station. I advised him to bank it, and made arrangements for him to do so. After two weeks he came back and asked me if I would lend him £1. When I asked him why, he said he wanted to open that banking account I had talked about. When I asked him what he had done with his cheque, he said he had gambled it and lost all his money. The same thing, of course, applies to the white people.

Mr. W. A. Manning: They must be trained.

Mr. RHATIGAN: There are natives in my electorate who are as good as any person in this House, and who do as good a job as any member in this House. There is, however, always the odd one in any community who proves the exception to the rule.

As I said before, I did not have the pleasure of being in the House when the Minister introduced his Bill; all I have is a cutting from *The West Australian* of the 22nd November, 1963, a portion of which reads as follows:—

> Explaining the complementary Licensing Act Amendment Bill (No. 4), which eases liquor restrictions on natives, Mr. Lewis said relief from the restrictions would not be given immediately.
>
> An intensive educational programme would be carried out and this would be followed by a survey.
>
> When the amending legislation was proclaimed, certain areas would be defined where the right of access to liquor would be withheld.
>
> The period for which the right would be withheld would be determined progressively by natives' standards.
>
> No native resident in the proclaimed areas enjoying citizen rights would be deprived of his rights.
>
> It was intended to retain and extend the bottle ban, which gives licensees the right to refuse the supply of bulk liquor to natives.

When the Minister replies I would like him to give some further advice as to where the proclaimed areas will be; what will be the educational standards necessary; and so forth. The article went on—

> The provision requiring natives to have a permit when travelling from the north to south of the 20th parallel would be abolished.

I agree with that, too; but I would suggest to the Minister that he get in contract with the Minister for Health in an endeavour to tie up the position with regard to natives who are discharged from the leprosarium and who are obliged to report back within a certain period—it may be six months or 12 months. The reason for the introduction of this particular provision was to prevent the natives, who were discharged from the leprosarium—and who might have to report back for another check or report to a doctor—from going to the city. It is possible that the leprosy may break out again; and when this provision is abolished, the disease may spread. While I agree with the provision in this measure, I suggest that the Minister consult with the Minister for Health, with the object of arranging a satisfactory method of compelling discharged persons to report back when required.

I have nothing more to say except that the Bill, to my way of thinking, does not go far enough. I will not repeat myself again as I have done every time a native welfare measure has come before the House; but I maintain that the answer to this problem—if there is one—is the abolition of the Native Welfare Department and the susbtitution of a department to cater for all people in need irrespective of their colour.

MR. RUNCIMAN (Murray) [5.48 p.m.]: I would like to congratulate the Minister on introducing this Bill, which is popular on both sides of the House. I think it is something that will go a long way towards the assimilation of natives. It is a measure we have desired for a long time because our goal is the assimilation of natives into the community. I feel this Bill is a great step forward in that regard.

The main problems associated with native welfare are, of course, education, hygiene, housing, and employment. It is very pleasing to see the popularity of kindergartens which have been established in native communities; and to find that there are so many public spirited women who conduct these kindergartens in towns where there are quite a number of natives. There is a kindergarten in Boddington, and a particularly good one in Pinjarra, conducted by a very enthusiastic band of women. This has been of immense benefit to the native children; and it will prepare them for when they are old enough to go to school.

I think our education facilities are excellent, and in that regard we are doing a great job. But when we are dealing with natives it is important to teach them hygiene—and not only the children, but a good many of the adults, too. Many years ago native reserves and similar places did not have facilities such as water and so on. But today the reserves have been improved considerably, and we find thereon ablution blocks, septic systems, and so on. What we have to do is to educate the natives so they will make full use of these facilities. Although we have many failures with natives in this regard, we must keep on trying, because I feel that eventually we will make real progress with them. It seems as though we will have to concentrate on the children.

The same situation applies to housing. I know there has been a great deal of progress in this direction and we do not see colonies of mia mias and rusty tin huts today. Instead, we find neat cottages. I think the member for Narrogin has pointed out that in a good many cases these cottages have been well maintained by the natives. In some instances the natives have made the cottages very dirty and have not paid due regard to hygiene and things like that; but that does not apply to all of them. There are a number of natives who do take pride in their houses. They get a kick out of it. It makes them feel better than the natives on the reserves, because they consider they have something.

We should do something more in the matter of providing amenities on the reserves; and we should give greater consideration to the supplying of more houses so that when natives eventually reach the stage where they can live in houses, they will be able to fit into the community. There is a feeling among the white population that if natives are placed in houses they will not look after them, and surrounding properties in the area will go down in value. I suppose to a certain extent that is correct, but I can see no reason why this cannot be rectified; and eventually it will make no difference at all.

Employment for natives is important, and particularly for young people. It is a very sad thing to see young native children around the ages of 14, 15, and 16 just having to fill in their time, so that they get into mischief. This situation is brought about because they have had no training. They become bored, and naturally get into mischief. We know the problems we have in regard to our own teenagers; and this applies so much more to our young coloured children.

This is particularly important as far as young girls are concerned; and it is a problem upon which we should concentrate. Perhaps our Government departments could give a lead in this matter. In my Address-in-Reply speech last year I appealed to private enterprise—to our big firms—to give some consideration to the employment of these young people.

I know we will have failures with the young natives—it is a gradual and slow process—but ultimately we will come out on top; and it is something we should strive for. We should instil into the natives the responsibilities that go with citizenship; and in this regard we will have to give them a great deal of encouragement and exercise a lot of patience. Although we have made some progress the people who do not have very much contact with the natives feel that we are not progressing fast enough. However, simply giving them citizenship rights is not enough; though some people think that if this is done, the natives will go ahead. But that assumption is not correct. It will be a slow process, and we will have to be very patient.

I feel this Bill will go a long way towards helping the natives and will give them some sort of respect. When certain restrictions are applied to them, this engenders a certain amount of resentment —a chip on the shoulder, as we often say. I feel that when these restrictions are lifted we will help the native because he will realise that the white community regards him as an equal and progress will be made. I have much pleasure in supporting the Bill.

MR. HART (Roe) [5.52 p.m.]: I wish to support this Bill. In the first instance I would congratulate the Minister on its introduction, although I think he could have gone a little bit further; and I give my support to speakers who have emphasised that aspect. Quite a lot has been said supporting the Minister and more or less endorsing what has been put forward, together with the need for doing various things for our coloured people. I think perhaps enough has been said in that regard; so I intend to speak on three other points.

The first suggestion I would make is in regard to the Native Welfare Department. I feel that over the years this department has, to some extent, not been closely enough in contact with local authorities. We must bear in mind that we all want to do something for these people; and if the Native Welfare Department would discuss its rather progressive ideas first of all with local authorities things would go much smoother.

I am speaking as a representative of a district which contains a large coloured population. Of the 500 children who attend our local school, I think about 22 per cent. are coloured. This represents a big job on its own. Many of the people who talk about what should be done do not realise what a difficult task it is for a small population to assimilate and do the right thing by such a large percentage of natives.

I endorse everything that has been said in favour of this Bill; but in a constructive way I would put forward my second point, which is in regard to the natural irresponsibility of our coloured people. I feel that our Government departments, apart from the Native Welfare Department, should bring home to these people the fact that they can be helped. We cannot do very much in the way of providing more housing unless we can combat this irresponsibility, of which there is a high percentage. We should bring home to these people in a firm way a realisation of the fact that if they are going to be provided with amenities and equal rights they must accept the responsibility that goes with them.

I propose to relate an incident that occurred in my area not so long ago. This sort of thing by no means applies to all natives, but there is this percentage with whom we have to live. The incident concerns a stud farmer just out from Borden. There is a well-attended native reserve there, and this farmer has had trouble with native dogs accosting his sheep. There is an irresponsible attitude adopted not only by the natives but also by the authorities. I have here a letter which reads as follows:—

> Further to our conversation regarding the killing and maiming of my sheep by native dogs in August last I had three stud rams killed and two badly bitten. I was unable to destroy the dogs on my property after ringing the Police at Gnowangerup they came out with the idea of destroying the dogs but the owners of the dogs said they would rather go to court than have their dogs shot. Therefore there was no alternative than to prosecute the owners.
>
> The Shire of Gnowanerup prosecuted Magistrate H. G. Smith of Albany was on the bench he ruled that unless these dogs bite a person they cannot be destroyed. We won the case and it was proved that these dogs were the killers but that does not compensate me for the loss of valuable stock the rams killed were valued at 90 guineas, but I was paid witness fees to value of 17s. 6d.
>
> On the evening of the 22nd October these same dogs again attacked two flocks of ewes one lot were lambing and the other ones were being mated. This time we destroyed both dogs. Our loss this time was ten ewes dead four of these ewes had lambs at foot and a further eight ewes had been badly bitten also eight lambs were killed . . . .

I will not read the whole of the letter. Here is a problem which we have to face up to; and when a matter is taken to court, that is the sort of ruling in law that is given. I put that forward to the Minister as a line of thought that might be considered.

One of the greatest needs of the native —and this could be a main target for the Minister and the department—is for more employment. We are trying to help natives live better lives and we are giving them homes. But if we could give them employment it would be the first step towards more respectability, and they would be able to hold up their heads. As was mentioned earlier this evening, there is a gap between natives of mission and school leaving age and adulthood. It is during the intervening years that these natives develop irresponsible ways. Although at present there are some methods for training them and for providing them with work, it is not nearly enough; and the matter of employment could be a key problem with our native population. A letter from the Shire of Gnowangerup reads as follows:—

> This Council has repeatedly drawn attention to the high percentage of Natives to Whites in some country towns, particularly towns in this district, and also the rising problem of employment and occupational training of both male and female coloured school leavers.
>
> In the Council's view these people urgently need training in various occupations to enable them to take

> their place in the community, the larger centres of population offer considerably more facilities for training in trades, and this aspect of Native Welfare should not be lost sight of even if some loss is sustained as a result of non-payment of house rents.

I would urge, in a constructive way, that some thought be given to the points I have raised and I have much pleasure in supporting the Bill.

MR. HALL (Albany) [6.5 p.m.]: I have a few words to say on this matter. I asked the Minister a question relating to land that was set aside for natives. My question was as follows:—

> Will he investigate the possibility of having land set aside in the agricultural zone for native land settlement farms?

I stipulated the agricultural zone because in the southern portion of the State we are encountering difficulties in this matter.

The reply I received was disappointing. At Esperance there are 19,758 acres set aside; at Mt. Barker there are 678 acres; and at Gnowangerup there are 2,434 acres. While we can agree that some provision has been made—and I consider it to be inadequate—we have to realise that natives are entitled to large acres of land as are our white settlers. We have extended into C.P. land, and land has been set aside for development. But we should have made more provision for our coloured people to take up agricultural pursuits.

From reading the newspapers we can appreciate the turmoil that has taken place in many countries of the world. We have seen the devastation which has occurred. But our natives are fighting for particular areas, and they are entitled to this land because it is their birthright. I would ask the Minister to give further consideration to this matter. With the agricultural problems and progress in this State we will find it a difficult matter to provide for the advancement of our natives in agricultural pursuits. However, no-one can doubt the ability of the natives and their knowledge of farming techniques.

Farmers realise that on many occasions their only source of labour has been natives. Natives have the ability to handle machinery—we have seen them manipulate their own mechanical contrivances—and we realise that they have ingenuity and mechanical know-how. I would say that they have proved themselves in this field and have successfully proved to employers that on the whole they are capable.

In my opinion we should set aside more areas of land to be settled by natives. Housing would have to come into the picture, and it would go hand in glove with land settlement. We should take a leaf out of the co-operative organisation that exists in New Guinea, and adapt those methods which suit our climate. If we could assist the natives in this direction, they could become an asset to the community and to the State.

Another matter which gives me cause for concern is the education of natives. I asked the Minister a question regarding the accommodation of natives at high schools. The Minister replied that one native was accommodated at Albany, and three were accommodated at Mt. Barker.

The agricultural area at Albany consists of many thousands of acres, and extends as far as Arthur River, east to Wagin, and down to Ravensthorpe. Natives can receive a three-year high school education after they have received their primary education. What are we going to do to further educate them? The only five-year high school which exists in that area is the Albany High School. These native children have reached the three-year high school level and we do not have the facilities available to continue their education. If we are not going to waste the education we have already given them, then we must provide them with facilities for a five-year education. I was very pleased to see a kindergarten for natives established at Mt. Barker. At present natives go from the State school to the primary school, and they then receive a secondary education. After that there is a blank patch. This problem has to be dealt with. We must also provide hostel accommodation, and we must remember that our natives have to endure lack of finance.

I agree with the sentiments expressed by the member for Narrogin. I have seen instances where we have helped natives; and where, on the other hand, we have kicked them in the teeth. But I have also seen outstanding cases of achievement—and this could apply to the majority of natives —and instances of good housekeeping. Native children are well looked after. However, we do have this bad minority, and it causes us extreme concern. After all this time we surely must realise that something has to be done about the problem. I will not elaborate further, except to say that we should take the native from the cradle and educate him into a better way of life. He should be allowed to pass through the various stages of education. If we do that we will make him a good citizen and we will enable him to adjust to our way of life.

The member for Murray referred to native girls in the towns being accosted by white boys. There have been many instances of the Child Welfare Department having to intervene in such matters. This should be looked into. The member for Murray must have experienced these things in his electorate, and he was justified in bringing the subject before Parliament.

Natives should be given fair treatment; we should set aside a bigger proportion of land to enable them to take up their rightful heritage, and to enable them to

develop. Some policing would be necessary, but I do not think they would object to supervision. The measure that is before the House will assist in creating better understanding between white people and coloured people. There are coloured people in many different categories. We have seen the type of native who is not able to live in the native reserve which the Native Welfare Department has set aside in Albany. Some coloured lads have to hide in the bush because they are unable to obtain accommodation.

These people have been treated very shabbily by the Social Services Department. I assisted a lad who was refused social service benefits because the department said that his disability was caused through a blow incurred in a fight. But many white men have claimed social services benefits, and such men have been in fights on many occasions. In this particular case, the man's wife and children had to suffer the humiliation of camping out in the bush. They had only a tattered tent. They received no assistance from the Child Welfare Department or from the Native Welfare Department. I supplied the family with food on several occasions, and I managed to get them food from another source. That sort of thing goes on. I am hoping that as a result of this measure natives will be treated on a more equal basis. I commend the Bill.

Sitting suspended from 6.15 to 7.30 p.m.

MR. GRAYDEN (South Perth) [7.30 p.m.]: In supporting the Bill may I first of all express my pleasure that it appears to have the approbation of all members of the House. I believe the measure is the most progressive of its kind in the history of our association with the aboriginal people in Western Australia. I feel, too, that it will do much to overcome the problems which confront us in our attempts to lead these people to a better way of life. The measure reflects great credit indeed upon the Minister for Native Welfare, and upon the Commissioner of Native Welfare and his staff.

It is easy for people in the metropolitan area, whether they be Liberal or Labor, to make statements in regard to the aboriginal problem in Western Australia. But, after all, it is the country people who are the most closely associated with the native people, and it is the electors of this State who live in the country who are affected to the greatest extent by any legislation that might be enacted in this House. In those circumstances it seems to me to be rather unusual that a country member should introduce legislation which is so sweeping in its nature, and so progressive in its outlook, and I repeat: It reflects a great deal of credit upon the Minister concerned. I mentioned earlier that the Bill appears to have the approbation of all members of the House, and I am extremely pleased to see that that is the position.

One or two of the statements which were made prior to the tea suspension require some comment, I think, and I would like to mention them briefly. First of all there was a statement to the effect that this Bill had been introduced owing to the force of public opinion. Later the member for Kimberley made the statement that the Government, in introducing a Bill of this kind, was somersaulting in respect of its attitude to giving natives voting powers.

Mr. Rhatigan: Nothing of the kind. I did not mention voting powers at all.

Mr. GRAYDEN: Then I must have misunderstood the honourable member. Possibly he referred to the question of liquor.

Mr. Rhatigan: I referred to the Bill introduced by the member for Mt. Hawthorn in 1954.

Mr. GRAYDEN: What did that Bill deal with?

Mr. Rhatigan: To give these people citizenship rights. You obviously didn't hear me.

The SPEAKER (Mr. Hearman): Order! There must be only one speech at a time.

Mr. GRAYDEN: The member for Kimberley made the statement that the Government had somersaulted—

Mr. Rhatigan: That is so.

Mr. GRAYDEN: —in its attitude towards these people, and apparently he was referring to the citizenship rights Bill which was introduced, possibly in 1954. He used the term "somersaulted"—

Mr. Rhatigan: That is so.

Mr. GRAYDEN: —and he affirms that statement by way of interjection now. Because of that, I would like to point out to him that the change of opinion has not been entirely on the part of the Government. I would be the first to admit that members on this side have apparently changed their views in respect of one or two matters covered by this Bill. Equally I would like to emphasise to the member for Kimberley, and to any other members of the Opposition who make the sort of statement that he did, that the Opposition, too, has had a change of feeling in respect of some of the problems which confront our native people.

I think it is a very good thing, and I am not mentioning it in any derogatory way. I am not criticising the Opposition for its present attitude. I am pleased to see that there has been a change of feeling on both sides of the House.

Mr. Rhatigan: There has been no change of feeling on this side. It has always been the same.

Mr. GRAYDEN: The member for Kimberley says there has not been any change of feeling on his side of the House; but I would like to assure him that there has been, and I will prove to him that there has been.

Mr. Rhatigan: I hope you will.

Mr. GRAYDEN: This Bill contains a number of propositions, one of which is to the effect that no longer will the Commissioner of Native Welfare be the legal guardian of all native children. When he introduced the Bill the Minister for Native Welfare made this statement in respect of the matter—

> The Commissioner of Native Welfare is at present the legal guardian of all native children under 21, other than those who are committed as wards under the Child Welfare Act. This concept is considered to be outmoded, and it is proposed to delete the provisions from the Act.

That was a very clear statement. In respect of this particular matter the Act reads as follows:—

> The Commissioner shall be the legal guardian of every native child notwithstanding that the child has a parent or other relative living, until such child attains the age of 21 years except while the child is a ward according to the interpretation given to that expression by section 4 of the Child Welfare Act, 1947; and the Commissioner may, from time to time direct what person is to have the custody of a native child of whom he is the legal guardian, and his direction has effect according to its tenor.

There are a great number of people in Western Australia who, over the years, have strenuously opposed that provision in the Native Welfare Act; because it says, in effect, that no native mother or father in this State is the legal guardian of his or her own child. The children can be taken away from them and the Commissioner of Native Welfare, or the Minister, can do what he will as far as those children are concerned.

Many people have been incensed by that provision. They have felt that the parents should be the people responsible for their children, and that there should be no distinction between the position which obtains in respect of whites and that which obtains in respect of aborigines as far as this matter is concerned.

A few years ago—in 1956, I think it was —when we were dealing with the Bill about which the member for Kimberley was speaking in respect of citizenship rights, attempts were made by members of the then Opposition to amend that particular provision. We tried to amend it, but our attempts were bitterly opposed by the Labor Government of the day. Since then the Labor Party has changed its attitude in respect of the matter, and now supports the Government.

Mr. Rhatigan: It has never changed its attitude.

Mr. GRAYDEN: It has changed its attitude. I have the debates here if the honourable member would like me to read them. I tried to amend the provision, and the present member for Maylands also tried to amend it; but our attempts were opposed by the Labor Government of the day. I quote this only to indicate that there has been a change of attitude on both sides of the House in respect of the overall native situation. For the member for Kimberley to say that only the Government has somersaulted is, in the circumstances, not correct.

Mr. Rhatigan: It certainly is.

Mr. GRAYDEN: I have just made perfectly clear what the situation is in respect of that matter; but I will go a bit further if the honourable member insists. At the present time the Department of Native Welfare is empowered to lend natives money in respect of their properties on the condition that the title is transferred to the Minister for Native Welfare. This Bill proposes to abolish that section and allow the Native Welfare Department to lend money to natives on mortgage. It is a particularly good provision, and it goes even further. The Minister, in his second reading speech, said—

> Current legislation provides for the Commissioner of Native Welfare to undertake the general care, protection, and management of the property of any native, with or without his consent, if he is a minor, or in the case of an adult, in so far as it may be necessary to provide for the preservation of his property.

That is the situation which obtains under the present Native Welfare Act. The relevant section of the Act reads this way—

> The Commissioner may undertake the general care, protection, and management of the property of any native, and may—
>
> (a) Take possession of, retain, sell, or dispose of any such property whether real or personal;

There is no need for me to quote the rest of the section, but that is the relevant part of section 35. It gives the commissioner very wide powers and under it he may take the property from any native in Western Australia. He can sell it or do what he likes with it. He has complete control over the property of any native just as he has, as I mentioned earlier, complete control over native children unless they are made wards under the Child Welfare Act. The Bill introduced by the Minister proposes to do away with that section.

Now let me come back to the interjection of the member for Kimberley. He said that the Labor Party has not suffered a change of heart in respect of anything

contained in this Bill. I have instanced two cases, in respect of the custody of children and the property of natives, where the Labor Party has had a change of opinion. I do not condemn the Labor Party for this; I welcome it and I think it is to the party's credit. Therefore, when the member for Kimberley says that the Government has somersaulted in respect of one or two items, I emphasise again that the somersaulting has not been a one-sided affair, but there has been a change of opinion on both sides. It is a very good thing that there has been, and it will be very much for the benefit of the natives in Western Australia.

Mr. Rhatigan: The Labor Party has always stood for citizenship rights for natives.

Mr. GRAYDEN: We are not talking about citizenship rights for natives at the moment. I am telling the honourable member what the position was in respect of the rights of natives with regard to their children, and the rights of natives with regard to their properties. Those are two fundamental items, and they are vital to natives throughout Western Australia. They are reforms which could have been made many months ago—they could have been made many years ago. Yet, as far back as 1956, when some members—including the present member for Maylands—tried to amend the provision in question, the Labor Government of the day refused to accept an amendment.

Mr. Oldfield: The Liberal Party, which was then in opposition, refused to have anything to do with the amendment.

Mr. GRAYDEN: I agree with the honourable member. I am extremely pleased to notice there has been a change of feeling on both sides of the House. This Bill proposes a number of reforms, which are sweeping to the extreme. This is the most important native welfare legislation which has ever been introduced in this House. It is outstanding, and it reflects very much to the credit of those who have been responsible for its introduction.

Earlier, one member made a statement relating to the unemployment situation. That is relevant to this Bill, because provision is made to enable the department to assist in the employment of natives in this state. I stress this question of employment of our native population. Between the Warburton Mission and the mining towns of Laverton, Wiluna, and Kalgoorlie it is generally accepted that there are 1,800 aborigines. Of that number only a handful are employed; possibly 30 out of the 1,800 have permanent employment, and there is very little chance of the others being able to obtain employment, other than that of a seasonal nature, such as mustering, fencing, and similar work.

In this Bill a rather revolutionary proposition has been introduced, and it is one which will enable the Native Welfare Department to finance natives in setting up small business undertakings. In introducing this Bill the Minister made the following statement on this aspect:—

> The Bill also provides the Minister with the power to set up a trading fund which it is intended will act as an inducement to natives and assist the department to develop small business ventures by providing loan finance for the purchase of plant, etc., necessary for the success of the venture. One of the most difficult problems facing the native is finding satisfactory and permanent employment. This applies particularly to those living away from the settled areas.

Provision is also made in the Bill to enable the Native Welfare Department to set up a trading fund from which sums of money can be allocated to aborigines in this State for the purpose of developing small business ventures. This is one answer to the problem of unemployment of natives. I emphasise there are 1,800 natives in the area embraced by Wiluna, Laverton, Warburton Mission, and Kalgoorlie, who under the present situation have no possible hope of obtaining employment.

There is provision in the Bill to allow the department to make some money available to aborigines to set themselves up as, say, doggers, so that they can go out from Laverton to trap, poison, or shoot dingoes. Possibly the department can finance natives to obtain the necessary equipment for kangaroo shooting, or for the making of kangaroo skins into rugs which at the present time fetch exorbitant prices in the U.S.A., to the extent of £100 or more. They can be financed in a hundred and one ways. They can be financed to enable them to undertake contract fencing, windmill erecting, mustering, and similar work. This is a wonderful step forward, and it was lacking in the past. This new provision will help to overcome the problem of employment of aborigines in Western Australia.

A little while ago one member on this side of the house said he felt that, because reforms have been put forward in the Bill, we should emphasise to aborigines the fact that they must bear a greater share of the responsibility. Here is a challenge to members of this House, particularly those representing the north-west electorates, the Murchison, and other outlying areas of this State in which natives are found, to give a lead by suggesting small business undertakings into which natives might be encouraged. Here is an opportunity for them to assist the aborigines to obtain finance from the

trading fund to be set up. This is a glorious opportunity for the members representing the north-west and similar electorates to look around in their electorates, and to suggest propositions to the aborigines therein, along the lines I have mentioned.

Mr. Bickerton: That is possible, now that your obstruction has been overcome.

Mr. GRAYDEN: There was no obstruction. I have not heard this idea being suggested by any member of the Opposition.

Mr. Brady: We actually started a store in Allawah Grove.

Mr. GRAYDEN: That is all to the credit of the member for Swan. It was only a store in Allawah Grove; but I am talking about the employment of 1,800 natives in the eastern goldfields, and about the aborigines in the north-west, and at the Warburton native reserve and other areas. Certainly the member for Swan did something to help the natives at Allawah Grove, and that is all to his credit.

Members of the Country Party in whose electorates natives reside have also initiated projects which have set the example for other people in this State, and in the rest of Australia. We should not allow issues of that kind to detract from the credit which is due to the Minister for Native Welfare and his department for bringing forward a proposal such as this.

I hope that, under the powers conferred by this Bill, the Native Welfare Department will give a greater measure of attention than it has given in years gone by—that would not have applied so much in the last couple of years—to the position of the nomadic natives in central Australia. In about 1956 a Select Committee of this House was appointed, comprising members of all parties. The members of that committee visited the Warburton Ranges, and subsequently submitted a report which was accepted by this House. It referred to conditions which obtained there. After that report had been made one newspaper man from the Eastern States flew to the Warburton Mission, spent 24 hours there, and wrote a most scathing article on the recommendations which had been put forward by the Select Committee. It was difficult to argue against him, because he was virtually the owner of a chain of newspapers.

It is interesting to reflect that much of what the Select Committee predicted at that time came to pass. Had its recommendations been implemented a great deal of the tragedy which followed subsequently would have been averted. This House could draw a lesson from that. I hope under the provisions of this Bill the Minister will be able to give a greater measure of attention to the plight of the aborigines in the central areas of the State. Apropos of that Select Committee report, numerous natives have perished in the Warburton area since the time it was made.

To deal with the cases which have come to light within the last few months, I refer firstly to an article which appeared in *The West Australian* of the 25th May. last. It is as follows:—

> SEARCHERS FIND STARVING NATIVES IN DRY AREA
>
> A native woman and her two children have been rescued after more than two months in the parched area east of the Warburton Ranges.
>
> A wide search for the natives began after another native woman was found dead near the Blackstone camp. Her two children were found in a poor condition 50 miles east of the Warburton mission.
>
> No trace has been found of a native named Willie who was reported missing about the same time.
>
> The story of the search—and of the natives struggle for survival—is in a special report lodged with Native Welfare Minister Lewis by Native Welfare Department Inspector I. S. Johnston and Constable N. Hopkins.
>
> The two men, with help from trackers and other officers, covered a total of 1,985 miles by vehicles and on foot between April 25 and May 8.
>
> **Awaiting Rain**
>
> The natives had been waiting for rain to fill waterholes between Mt. Davies and the Warburtons, a distance of about 200 miles, before returning to the mission. There had been thunderstorms and those who had set off wrongly assumed that rain had fallen in the area.
>
> The report said the search was organised after reports that Yipati Mitchell and her children, Owen (12) and Kaye (6), together with Yampuluru Mitchell and her two children, had been missing from the central reserve area for about two months.
>
> Several natives had been reported dying from thirst during February-March and a patrol was considered necessary.
>
> The two women had split up and taken separate routes. Yampuluru's children were found near the Karuga waterhole in a poor condition, without food or water.
>
> Later the body of Yampuluru was found some distance from Blackstone camp. The patrol had found all waterholes along the route between the mission and the Blackstone camp dry.

The irony of the situation is that this was one of the areas referred to in the report of the Select Committee.

The newspaper man who came over here and examined the situation was critical of what the Select Committee had said. As Chairman of the Select Committee I repudiated what he had said. He said there was abundant water, because in the past some miners had put down a bore at the Blackstone camp. I pointed out that as soon as the miners had left, the natives could not possibly start any water pump which might have been left behind. In any event it was most likely that any such pump would be taken away. Of course, that was derided by the newspaper man.

The people mentioned in the report I have just read perished within 15 miles of the water bore. This is a most ironical situation, and the tragedy occurred because the report of the Select Committee was not given the consideration it should have been given. Had its recommendations been implemented this tragedy would not have occurred, because this place was within 15 miles of the place over which the argument occurred.

Much more recently there was an article in *The Sunday Times* headed "Two Natives Perish", with a subheading "Thirst and starvation in desert crossing". It reads as follows:—

> Warburton Ranges, Sat.: An aboriginal and his wife died and their 10-year-old son is missing in desert country north of Rawlinna.
>
> The family, aborigines of the little known country somewhere south-east of Warburton Ranges near the S.A. border, died of thirst and starvation.

That is very close to where the other deaths took place. To continue portion of the article—

> The man's second wife, carrying her three-year-old son and accompanied by a 12-year-old girl, walked 120 miles through waterless desert country in above-century heat to safety.

Again, I am not going to read the complete article because it is a full-page statement in *The Sunday Times*, and members can read it for themselves.

We can imagine the situation. These small family groups set out. In the case just referred to, the mother had her children with her out in that wilderness. They would see the waterhole at which they were camped dry up and then the two children, having seen their mother die, would have to trek hundreds of miles in the direction of the Warburton Mission.

Fortunately some were rescued; but it was a tragedy of the first order. Yet that sort of thing has been happening since time immemorial in that central area. It does not occur all the time, of course. The same position applies as in the cattle stations in the north. During drought seasons cattle perish because food is scarce and water non-existent. Similarly, when there is a drought in that central area, natives perish as described in the two articles from which I quoted.

In the past there has been a marked reluctance on the part of Government after Government, irrespective of which political colour, to face up to the problem which exists in that central area. As I have mentioned, this sort of thing happens frequently, but nothing has ever been done until now. I am delighted to see the steps which have been taken by the present Minister and his Government. I think that he has found the solution to this problem which confronts these unfortunate people. The following appeared at the conclusion of the article published in *The Sunday Times*:—

> Commenting on this report yesterday, the Minister for Native Welfare, Mr. Lewis, said the department was conducting an intensive patrol of the desert areas both north and south of the Warburton Range Mission in an effort to locate the few scattered aboriginal families thought to be still there.
>
> If they could be located their immediate needs would be provided for and they would be offered transportation to either Cundeelee or Warburton Range Mission.
>
> Persuading them to go into places where they could be assured of the necessities of life seemed to be the only sure way of preventing further tragedies such as this he said.
>
> There appeared to be no other practicable way of maintaining contact with people who made unpredictable journeys over strange country hundreds of miles from their own tribal lands.
>
> The hunting grounds within 30 miles of the Warburton Ranges Mission had, during the past year, been provided with wells.
>
> A further chain of watering points along the established tribal route into South Australia was now being provided.
>
> It was hoped and expected that these measures would put an end to the periodic loss of life which for centuries had been a feature of tribal existence in these inhospitable regions, Mr. Lewis said.

That is a most practical approach to the problem and my only regret is that Governments in the past could not see fit to do what this Minister for Native Welfare has done. Goodness me, it would appear to me to be elementary that when people are dying in an area, and the reason is known, a means should be provided to solve the problem.

According to the article I just read, the Minister has established wells in the vicinity of the Warburton Mission. These will serve natives for some distance around. Prior to the establishment of these wells the natives would go into the

mission to see their children who would be cared for by the mission whilst they were of school age. Only those natives who are injured, old, or infirm, can obtain rations, and consequently the natives stay for a few days, having seen their children, and are then forced to leave to search for food. At the beginning of the summer they would trek up to the Rawlinson Ranges and obtain what food was there; then, as the summer approached and their waterholes began to dry up, they would make their way south to the country in the vicinity of the Warburton Mission. That was the pattern. They were forced to be constantly on the move in order to obtain food and water.

Had wells been established in the past in the vicinity of the Warburton Mission we know what would have happened. First of all, water would have been available for drinking; but, in addition, if the wells were of the right type, they would provide water for game. If there were water in the area, of course, kangaroos would move in and remain in the vicinity.

I might mention that there is no permanent surface water in that entire inland region. The natives are completely dependent on small rock holes, gnamma holes, and soaks. They fill these with spinifex and small sticks to prevent evaporation. Except for those periods after a thunderstorm or heavy rain, there is virtually water for no large game such as kangaroos. However, now that water has been provided in the vicinity of the Warburton Ranges, it will enable game to remain there; and that, of course, will provide food for the natives.

In addition, natives trek periodically for corroborees, and so on, east into South Australia, and west to an area north of Laverton and in the vicinity of Laverton. Fortunately, there is a chain of small rock holes between Laverton and Warburton. Periodically, of course, they dry up, and natives have perished on that particular trek; but at least the Government is facing up to the major problem as far as these treks are concerned. I hope it will extend its programme in connection with the provision of wells and provide them along all the routes which natives normally traverse.

Before I leave the question of water I would like to say that I hope the Minister will not leave the position simply by establishing these wells near the Warburton Mission. I hope he will go a little further and extend them towards the Warburton Range which is possibly 150 or more miles north-east of the mission, because that is a favourite congregating place of the natives in that area.

I recall that once in the north-west we were faced with the problem of obtaining water for a mine there. Instead of digging wells and pumping water we bulldozed a dam into the water table so that it was virtually a huge well. If that type of project could be undertaken out there in the Warburton Native Reserve, water would be provided for the natives and also for game. The game would be able to walk right down the sides and drink from the dam and this would provide an inexhaustable supply if it were placed in the water table.

I also hope that the Minister will increase the number of periodic patrols made, because I believe these are the answer to the problem of medical attention for the natives in that particular area. There seems to be some strange belief abroad that aborigines are not subject to the ills which confront white people; that they are not subject, for instance, to violent toothache, broken limbs, and diseases like mumps, measles, and so on. Of course, nothing could be further from the truth.

The SPEAKER (Mr. Hearman): The honourable member has another five minutes.

Mr. GRAYDEN: Thank you. No matter where one goes out in that inland area, one will find small native families. In some instances they have had very limited contact with whites and in others, none at all. Only the other day a report appeared in the paper indicating that some natives had been found who had had no contact with white people. The department says that there are approximately 2,000 natives in that region. Amongst them are some with broken limbs and with no possibility of obtaining treatment. Others are suffering from extreme toothache, and abscesses on their gums which prevent them from eating. As a consequence they are emaciated in the extreme. If a medical patrol were made even twice a year, it would do a great deal to bring the benefit of medical attention to these people. We should also encourage those in the outer areas to come into the missions. The Minister is adopting a policy of that kind and I applaud it.

I am nearing the end of my time, so I will have to conclude. I would like to say once again that this is wonderful legislation. The Minister has indeed proved that he, more than any other man in the history of the State, is a friend of the aborigines. I applaud the Bill and hope it will receive the approbation of everyone in this House. I hope that anything I may have said will not make those on the other side of the House feel I have taken the opportunity to speak on this Bill to deride their efforts. I do not deride their efforts. I am well aware of the things done by members of the Opposition.

MR. MOIR (Boulder-Eyre) [8.14 p.m.]: I, too, wish to add a few comments to the remarks already made in this House on

this Bill. I believe the Minister is to be commended for introducing a Bill of this nature. It is not perfect by any means.

Mr. Brand: No legislation is.

Mr. MOIR: One of the reasons, perhaps, is that there are great problems attached to this question. I do think, though, that it goes quite a long way along the road to improve, or assist to improve the law relating to these people, and to lift their status in the community. I cannot agree however, with the member for South Perth that this is the best piece of legislation of this nature that has ever been placed before the House. I think a previous Labor Government made several attempts to effect improvements, but they did not meet with the approval of the people who then composed the two Houses of Parliament in this State.

This problem is quite a complex one when one looks at it from various angles. I agree with the member for South Perth on the necessity to provide points where there is a water supply. I have heard him advocate that before. I believe he has quite a good point there, because the area which he talks about is one which, at times, will have many plentifully-supplied water points after storms and rains such as we have had this year; and there would be plenty of game about. The primitive natives are basically hunters—and their forefathers for centuries before them have been hunters—and they naturally roam far and wide over the country. When, however, we have drought or semi-drought conditions, life must be very grim for these people, who have to keep within the vicinity of the fast vanishing water holes; and, of course, it must also be grim because of the diminishing quantities of game on which they rely for their livelihood.

It would not be a very great cost to establish water points and have them equipped with windmills, and even to have patrols sent through the area to see that the mills were kept in order. In addition, tanks and troughs could be supplied in the same way as they are supplied in the pastoral areas closer in. Then, not only would there be water available for the natives but it would be there for game, and the game would multiply as a consequence and would be available to the native people.

It is true, as was mentioned by the member for South Perth, that there are upwards of 2,000 people—perhaps considerably more when we consider the native reserves—scattered in various groups throughout this area; because every now and again fresh groups are discovered in the inland area. On occasions, of course, those people must suffer terribly, not only through semi-starvation but through a serious shortage of water; and that is something we should not tolerate.

Some people might say, "Why do we not bring these natives into certain points and have them looked after?" We must remember that these people are nomads; it is their life to wander far and wide. To a great extent they are primitive people. I do not think the average person realises just how primitive they are. Their standard, compared to ours, is a long way behind; they are far back towards the Stone Age.

There are many problems connected with the native people. The goldfields area is a large one, extending from the Murchison in the north to the Nullarbor Plain in the east and down to the south coast. In that area we have several missions established which do quite a good job for the natives, particularly the children.

Quite close to Kalgoorlie there is a native mission where there are quite a number of children, some of whom would be the sons and daughters of the most primitive people. These children are well dressed, well fed, and well cared for, and they have the opportunity of going to school. It is really heartwarming to see them going to the schools, including the Eastern Goldfields High School where they can aspire to quite a high standard of education. Those children look very neat and presentable. Except for the colour of their skins they are no different to other children.

The tragedy of that set-up is that while they are cared for by the missions, with the assistance of the Government, they are all right, but there comes a time when they finish school—whether they finish in the primary school or whether they have gone on to the high school and taken their Junior Examination or have acquired their Leaving Certificate. The question arises then: Where do they seek employment? That question is important, especially when one knows it is very difficult even for white children to obtain in the goldfields employment commensurate with their education and ability. Quite a number of the children have their Junior or Leaving Certificate, and a percentage of them would obtain employment in vocations they wished to follow, but others would obtain any sort of employment that was offering, with the result that we find children with quite good educational qualifications in positions that do not require much education at all. This must be very frustrating for the children. Again, we have children who cannot obtain employment there at all and must of necessity come to the metropolitan area. It is very hard for the white people; how much harder must it be for the native children?

We find the same thing applies to the natives in Perth. They must find it very difficult to obtain employment. I know the Department of Native Welfare employs a certain number; but, of course, there is a limit to the opportunities available in that department, and the same position must apply to other Government departments. We cannot put forth the proposition that these people should receive preference in

employment. In regard to that problem, I agree with one of the speakers from the other side of the House—the member for Murray—who said that the private employer should pay more heed to the possibility of employing some of these young people.

Quite a number of them, I imagine, have a personal problem. As children they go to school, starting off in the infants and passing through the various grades, and during that time they are accepted by the other children. They all seem to be the best of friends and play together, and there appears to be no line of demarcation at all. But one notices that when they reach the teenage period they become conscious of the fact that there is a barrier that is raised against them. Probably they find the children who have been classmates all the way through school do not invite them to their parties, and are not so willing to associate with them or be seen with them.

Mr. Lewis: Not unless they become champion footballers or something like that.

Mr. MOIR: That is so—or champion cricketers or outstanding in some other field of sport. In that event they are accepted; and that is one of the tragedies associated with the natives; and we, as a people, are responsible for that position because we draw the line of demarcation.

That can be seen if one travels through some of the country areas. I was most shocked to find, when travelling through a particular country town, public conveniences provided on which there was a notice at one end: "Ladies", and on the other end: "Women". I do not know how the authorities work out who are women and are ladies. I always understood it was the same distinction as applies between "Men" and "Gentlemen"; that it was a question more or less of conduct. But there it is; and the same thing applies in other ways, because, from time to time, we read that people in various centres object to native children being at the same school as their own children. I can well understand that, too. It is probably not altogether a question of colour, but of hygiene. It is, nevertheless, rather a problem.

One question that we have to solve or get around is that we give these children several years of training in our way of life, and provide them with a good education, and then just leave them to their own resources. In the area I am speaking of where the relatives of the people I have in mind are still roaming in the bush and at times visit the mission, there is only one thing open to the children—to finish up by going into the bush with their relatives. In that case, their years of training and education are simply lost. It must be a tragedy for those children, because they have learned to expect something better of life than that.

Employment in the goldfields area is a problem for the older natives. Employment is available in the pastoral industry—and in that area there is quite a large pastoral industry; there is a lot of stock run on the goldfields; more than people imagine—but the employment is of an intermittent nature. In the busy season quite a few natives who are willing to work are employed on stations, but when the immediate rush is over they are paid off and thrown back on their own resources.

Again we have the position where some of these people work in the mines, and live more or less the same as the whites. Quite a number of natives or part natives work in the mines, and they have proved to be very good mine workers, too. Some of these people work on the railways on the permanent way, and so on. I do not know of any harder work than that.

The fact that they do that sort of work and hold those jobs as long as people of European origin shows they are willing to work if they are satisfied they are being paid reasonably; and it shows they can adapt themselves to our way of life. Again it is hard to think these people only have the opportunity of working at these occupations because people of European origin look down on these types of work, in the main, and do not engage in them if they can get something better. So it would appear that the natives are forced to take the employment leavings of the white people.

There are many large and important problems surrounding the introduction of this Bill. For instance, it should not be the State's responsibility to shoulder the expenditure involved in finding solutions to all the problems associated with the native people. In my opinion the Commonwealth Government has a very large responsibility in regard to these people. The responsibility should not be shouldered only by States such as Queensland and Western Australia who have the bulk of the native people living within their boundaries. No doubt these States are recompensed to some extent through the Grants Commission for their expenditure on native welfare, but I believe the Commonwealth Government should make a direct financial contribution towards their welfare.

After all is said and done, it must be borne in mind that we, as a people, have dispossessed the natives of their country and, to our shame, we have done little to recompense them. There is no doubt that in the past these people have been exploited in many instances and, in fact, they have been deliberately misused. We know perfectly well that, a few years ago, the attitude towards these people was, "The sooner they die out the better it will be." That was an unfortunate attitude to have adopted, and it must make any thinking person ashamed of the history of our dealings with the native people.

I have noticed that the Bill will grant power to the Minister to assist some of these people financially. I understand there has been a bar to this being done before. I hope the opportunity presented by this Bill will be grasped by the Minister with both hands, because these people are entitled to receive that type of assistance; in fact, some of them are extremely worthy of it. In this regard I wish to refer to a project which is carried on in part of the electorate I represent. It is the mission farm at Esperance, and it is doing an excellent job with the young people it has there. The mission is training them in animal husbandry and farming methods. However, here again we are faced with the question: What happens to these young people when they are fully trained? They may obtain seasonal employment with farmers in the district; but, as I have said, after being employed for a while they are thrown on their own resources, and they certainly will not make much progress under those conditions.

Like the member for Albany I believe many more areas should be made available than at present which can be developed by these people. Whether they were to work singly on a farm of their own, or work as a group in the form of a co-operative does not matter, so long as they are educated and trained in agricultural practices. That is one suggestion to which the Minister should give a good deal of attention. We know that there are approximately 20,000 acres of land reserved in the Esperance district which can be set aside for use by natives. However, that would not go very far when it is considered that an Australian needs a farm of 2,000 acres from which to obtain a reasonable living. On that basis only 10 native lads could be granted farms on that land at Esperance. Therefore the Government should give consideration to setting aside larger areas for such purposes. That could be considered later on, provided that these young people who are trained at that centre become qualified to take charge of a farm, and are able to operate it in their own interests, either singly, or in a group working as a co-operative.

The Bill also proposes to lift the restrictions now imposed on natives in regard to the purchase of liquor. It does not propose to lift the restrictions on all natives, but only on some. This is a clause which I would like the Minister to clarify when he replies to the debate. It provides that there shall be proclaimed areas. Presumably, the provision is to stipulate that when full-blood natives or those who are only part native are sufficiently responsible to be entrusted with such a privilege they are to be granted those privileges which white people enjoy, and in those areas where there are primitive natives a great deal of discretion is to be used in allowing them access to liquor.

There is a lot to be said for that provision. But what happens in an area where there are both primitive natives who are visiting that area from time to time, and a settled population of native people comprising native people of full blood or part native blood; and who, in all respects, are educated in the same way as other members of the community? It is going to be very hard on those people who should be entitled to this privilege, but which is denied to them merely because of the presence in that area of nomadic natives who have travelled over hundreds of miles only for the purpose of visiting that centre.

That position could occur in a native mission at Kalgoorlie where native children are cared for. A similar position could also arise in other centres where there are natives who should be equally entitled to enjoy these privileges as their kin in other parts of the State, but who would be debarred from enjoying them because they are living on the fringes of civilisation, as it were. I would like to hear something from the Minister on that aspect. We must keep in mind that this has been an extremely heartburning question to some of the native people. There are natives occupying all types of positions, some of which are very responsible. In fact, some of the natives themselves are extremely responsible people. I am sure the member for Narrogin would be pleased to hear that. We have had them occupying positions in the teaching profession and in equally responsible vocations.

I know that some of these people have felt very keenly when they have been asked to apply for citizenship rights. I know one schoolteacher who considered it was degrading to apply for citizenship rights. He was a part native. I know of others who could apply for citizenship rights and who came within the category of native people who could purchase liquor, but they would not apply because they considered it was degrading to them to have to produce proof of their identity to whoever was serving liquor in the bar before they could obtain a drink. In relation to this question of a permit being granted to native people to obtain liquor, I want to know from the Minister for Native Welfare if he is to have an understanding with the Minister for Police that these people will have the right to enter hotels and be able to buy liquor without an unofficial ban being imposed on them, because I have witnessed such a ban being imposed.

This occurred when a respectably-dressed native was refused a bottle of beer in a Kalgoorlie hotel despite the fact that he was told he could have a drink on the premises. That inquiry was made within my hearing. When the licensee was asked why he could not buy a bottle of beer—I

might add it was very hot weather—the answer was that the officers of the licensing branch had instructed all Kalgoorlie hotelkeepers that no bottled beer was to be sold to a part-native person. If he came within the category of those native people who are entitled to drink in an hotel, he was permitted to have a drink on the premises, but he was not entitled to take away a bottle of beer. That was a most degrading situation for a native person to be placed in, because he was told to go away and see this particular officer to ascertain if he could purchase a bottle of beer.

This native said, "I only want one bottle of beer," and the licensee replied, "I do not care. I do not want to get into trouble with the licensing police." When this Bill becomes law I hope instructions will be issued that no unofficial ban will be placed on these people. I know that some native people, on insisting on their rights under the law could create a nasty situation, and we do not want that to happen. After all is said and done, if people abuse the provisions of the Licensing Act they can be dealt with under other laws, and people are dealt with from time to time under those laws. The position will be no different in respect of natives than of white people.

I now wish to refer to a clause in the Bill which seeks to continue a provision in a section of the Act which is to be repealed. This provision deals with native reserves. I want the Minister to give a good deal of consideration to what I am about to suggest. The clause in the Bill reads—

> It is an offence against this Act for any person other than a native to enter or remain or be within the boundaries of a reserve for any purpose whatsoever, unless he is a manager or an officer of the Department, or a person authorised in that behalf under the regulations.

Only last year, we passed an amending Bill in this House which gave the right to any native who wished, to enrol on the Legislative Assembly and Legislative Council rolls if he held the necessary qualifications. However, under this provision we preclude natives access to whoever may be their member, whether he be a Federal member of Parliament or a State member. Natives have the right to vote for Commonwealth members, but under this provision it will be found that in this State they will be unable to have any access to their Parliamentary representatives.

It could well be that somebody living on that native reserve wishes to see the member for his district because he is unable to write to him. It is known, however, that this person wishes to see the member for his district. Somebody in the town might tell the member that a particular person wanted to see him; but he could not go to the reserve—of which there are several in my area—to see the people concerned, unless he took with him the protector of natives appointed under the Act. That might not always be convenient. The protector may be away from the district, and he may not get back for several days.

So if the member—whether he be a Federal or a State member—were to take the risk and go on to the reserve, he would be liable to a fine of up to £50 for doing that without permission.

Mr. Norton: And that is for the first offence only.

Mr. MOIR: As the member for Gascoyne points out, that is for the first offence. That is something the Minister could well have a look at. As a matter of fact, when we are discussing the Bill in the committee stage, I propose to move an amendment to which I hope the Minister will give due consideration, with a view to having it included. I propose to suggest the addition of the words, "a member of either House of the Federal or State Parliament."

Unless we allow that, we will not give these people the rights to which they are entitled—rights which everybody else in the community possesses; namely, access to his member of Parliament. There are people who wish their member to visit them to hear some complaint or other that they might have. Again, it could be undesirable, in a sense, from the point of view of the person who wishes to interview a member of Parliament, but who might not be inclined to do so if there were a third person present.

We all know perfectly well that many of our electors would not like to discuss their problems with any of us, as their member of Parliament, while some third person was within earshot. So I hope the Minister will give serious consideration to that proposal, because I think it is essential; apart from which it would help these people think that they were somewhat on the same footing as the white people.

After he had been speaking for some time the member for Narrogin said that he greeted this Bill with some pleasure. All I can say is that he appeared to take his pleasures very sadly; because he had quite a few caustic comments to make about the native people in his district. He said they should help themselves a great deal more; and he also pointed out that they should develop a sense of responsibility, and act up to it. If we were to measure everybody by those standards there would be quite a number of European people who would fall by the

wayside, because there are any number of people in our community who cannot live up to the standards required of them. That is something which is fundamental in their nature, and their make-up; and, of course, it is not peculiar to any one race of people.

So I cannot see how we can condemn these native people out of hand. It was also mentioned by the member for Narrogin that the people to whom he referred were thriftless; that they earned good wages, but they were unable to save. Of course we all know people who are in that category, and who are not able to save money. We must appreciate that these native people, by their very nature and past history, have lived communal lives; they share most freely with their relatives and friends when they have anything to share; they are most generous and kindly disposed towards their children; and one can appreciate that, in their simple way, they feel that money is made to be spent, and to buy the things they have probably longed for all their lives.

I do not think we can blame them altogether for that. We all know, of course, that money should be spent wisely, and with prudence; and that we should provide for a rainy day. I think perhaps we expect too high a standard from these people in matters like that; we might expect those standards to be attained too suddenly. It must be remembered there are a lot of people in the community who are very free spenders with money, and who do not look very far ahead; and, as a result, when misfortune befalls them, and they are out of employment, they do not have much to fall back on to ease their financial difficulties. So perhaps we should not condemn these native people on that score.

Mr. W. A. Manning: You agree they should be trained.

Mr. MOIR: If we set out to train all the people in the community whom we thought should be trained according to our views, we would certainly have a job on our hands, Apart from this, they might object to being trained in accordance with our ideas.

Mr. W. Hegney: We could not train the member for Narrogin on the Industrial Arbitration Bill.

Mr. MOIR: That is perfectly correct. We are inclined to be over critical of these people. For a long time now we have heard why they should not be allowed the privilege of purchasing liquor, the argument being they were not the type of people who could conduct themselves properly after imbibing liquor. We all know of course, that there are quite a number of people in our own community who cannot do just that.

I know that in years gone by we had some notorious old characters on the Goldfields, some of whom we could quite easily refer to as no-hopers. One old gentleman during his career collected about 460 convictions, but nobody took any notice of him when he was found to be inebriated. When he was found in such a state a constable would take him to the lockup, where he would be sobered up and cleaned up, after which he would be all right. But nobody thought that to be a terrible state of affairs.

Yet if we saw a native in an inebriated condition we would think it was terrible, and we would suggest that he should be stopped from drinking. We are inclined to become hypercritical of these people, and we intend to keep our eye on particular individuals in a community.

I have often heard people say what a terrible thing it is, after having read reports of native lads who have taken control of a motorcar. But we know that white lads are doing that every day of the week; so much so, that we have almost come to accept it as a youthful prank. When native lads are involved, however, the prank seems to become a heinous offence. I am sure the Minister will agree with that, because I have heard him express similar sentiments.

All in all, while there are quite a number of changes that could be made with regard to natives; and while there is a lot of room for improvement in their status and outlook, the changes should be made with relation to finding them avenues for employment. This does not refer so much to the older people who are set in their ways, but to the younger people.

If the Minister has visited the Fremantle Prison, which I am sure he has, it must have appalled him to see the young people there—not only native lads, but white lads as well. I am certain that a lot of their difficulties have been brought about as a result of their being unable to obtain permanent and regular employment. They have been left to their own devices, and we all know that Satan finds some mischief still for idle hands to do. That is one of the problems for which we must accept responsibility.

I hope that with this changed line of thinking we will become more progressive. I trust the Bill is only a start of a different line of conduct, and a different attitude which is to be adopted towards these people. I hope this will be done not only in an academic manner, but also in a practical manner.

It is not only the Government that must take these steps, but members of the community must also accept this responsibility. It must be accepted by the people who run industry and the various enterprises—they must all give some thought

to the problem, and do their share in extending a helping hand to these people. With those remarks I support the second reading of the Bill.

MR. LEWIS (Moore—Minister for Native Welfare) [8.57 p.m.]: I want to thank the several members on both sides of the House for their thoughtful contributions to this debate, and for their criticism—for the most part constructive—towards this Bill. I also appreciate their complimentary remarks, but I would assure the House that I am very conscious of what yet remains to be done.

This will require the goodwill and the co-operation of all. This question of natives, and their welfare, is not one of party politics; and I am sure we would all deplore the fact if it became so in this State. I think I made some reference in my second reading speech to the efforts that had been made by all Governments in this State—Governments of all political complexions—towards helping along this native problem.

If this legislation is an advance on something that has gone before, all I can say is we would be recreant to our trust—each and every one of us—if we did not learn by experience and improve on the past. No doubt my successors from time to time will improve on the present legislation. I think this improvement in our native legislation reflects not so much the improved, or modern, thinking of the legislator of the day, but rather is it more a compliment to the native people themselves.

I am sure any improvement that this Bill might envisage reflects the improvement the natives themselves have made over the years. This problem is by no means an easy one, as can be gathered by those who have contributed to this debate. It is made more difficult by the wide range of social evolution of the natives of this State. They range from those who might be described as fully assimilated in their way of life—and I might mention that three of these people have become matrons of hospitals; 11 have become schoolteachers; and others have occupied quite good positions in our industrial and commercial life.

Then we range down to the other extreme—the people mentioned by the member for South Perth and the member for Boulder-Eyre—who are still roaming around in their nomadic state and living in accordance with their old tribal customs. So any legislation or administrative act to suit the one need would be totally unrealistic to the need of the other at the opposite end of the social scale. This is something that makes it more difficult than it would otherwise be. If we were dealing with people similar to ourselves, the matter would be much easier to handle, because we do not have that extreme range.

It is quite a considerable time since I left school but my memory of history goes back to the early Britons who were first known around about 2500 B.C. They were a rather short, dark, thickset race of people who lived in caves near the seashore or in rough shelters erected in the forest. They hunted wild animals and clothed themselves in skins; and it was not until the admixture of other races that invaded the country—races such as the Beakers who, I think, came from Germany, the Vikings, the Romans, the Angles, the Danes, the Saxons, and later the Normans around about 1066—

Mr. W. Hegney: And all that.

Mr. LEWIS: By the interbreeding of these races a different race of people was created. They were taller, much fairer, more vigorous, and so on; and those are the people from which our own forebears sprang.

Mr. Hawke: How do you know?

Mr. LEWIS: If we visualise the conditions under which those early Britons lived we will realise that they would be not so very different from those under which our nomadic natives live in different parts of Western Australia. I would remind the House that Western Australia —if my arithmetic is correct—was founded 134 years ago, which is but a fleeting glimpse in the passage of time—a matter of perhaps only three or four generations. When we look at it in that light, we must concede that the natives of our State have made a remarkable progress. I think we can say that quite sincerely. While they still need some help, many of them have reached the stage when they are ready for complete assimilation.

Before I deal with the remarks made by individual members, I must refer to one made by the member for Kimberley. He made the forthright claim that the Department of Native Welfare should be abolished. Because this came from a past officer of the Native Welfare Department it certainly attracted my attention. It seemed to me to be so inconsistent, because if any member of the House should be appreciative of the difficulties of the department and the reasons why it was established and what it is trying to do, it should have been the member for Kimberley. Whilst I appreciate some of his constructive criticisms, I cannot agree with his remark concerning the department. Under this Bill we are doing much to make the native aware that he is now expected to stand on his own two feet as far as possible but, at the same time, some welfare legislation is still needed.

We need a Department of Native Welfare to help in regard to better housing on the reserves, in providing septic systems, ablution blocks, and the hot water systems we are now putting in. These reserves are a transitional stage; and I hope

the day is not too far distant when we can do away with them. However, at the present time reserves are a necessary transitional stage. The Native Welfare Department is endeavouring to provide community halls wherever possible.

Progress is slow; and according to some people it is too slow. This is another one of those problems associated with native welfare: We get the dear old lady—the fictitious old lady—who writes and says that we have stolen the natives' country and taken everything from them and nothing we can do for them is too good. On the other hand, there is the individual who says that what we are doing for natives is wasted anyhow and it is 100 years before its time. Somewhere between the two we hope to strike the happy medium. I suppose it is one of those things on which we cannot win. We will only have to do what knowledge and experience teach us is right.

In these community halls which the Native Welfare Department does its best to establish on the reserves we hold kindergartens. Some mention has been made of them. It has now been found possible to subsidise the establishment and maintenance of these kindergartens; and this is a good move because—and I feel I am supported by the Commissioner of Native Welfare in this—it is with the children of these people that our greatest hope lies for social advancement. We teach some adult education; and here may I say that the Education Department and the Native Welfare Department are now conferring together and are hoping to embark on a more extensive programme of adult education in 1964.

The centres of which I spoke are used to promote infant health; and in most of them where infant health services are available the mothers are met and advised on the care of their young children. Domestic science is taught also; and this affords an opportunity for local gatherings of women's organisations like the Country Women's Association and the various native welfare committees that are scattered throughout most of the centres of Western Australia—in the agricultural areas anyhow—to go along in an endeavour to teach the native people some of the skills and niceties of the ordinary home.

It was the Native Welfare Department, too, that initiated water supplies in some of these outback places, as was mentioned by the member for South Perth. It is the Native Welfare Department that arranges to take care of the dependants of those people who are either sick or unfortunately taken away to gaol. I, as Minister, have seen fit to have appointed to the department additional female welfare officers. We think this is a step forward in being able to give advice to the women, particularly the young girls around the native reserves. Project officers have been appointed for the purpose of promoting employment in local industries. I mentioned some of these in the second reading speech, so I will not repeat them at the moment.

We cannot expect quick results overnight. I think that is one of the wrong attitudes of people; they expect too much too quickly. I have illustrated this before in one or two places by comparing the position with a young child—a little toddler—who tries to walk and stumbles over. We help the youngster on to his feet, it struggles off again, only to fall over once more. We help it up again and ultimately it learns to walk on its own feet. Having learned to walk it learns to run. I think this illustration can be quite aptly applied to our natives. We will have many disappointments, but we will just have to keep on and keep on keeping on.

We have long since given away the old custom of handouts to natives, because we must inculcate in them a sense of responsibility. One of the members who contributed to this debate thought we should expect the benefits conferred by this legislation to be given to the natives suddenly and then say to them, "You are on your own." We have to help them still further. We have to educate them still further. We have to educate their children. We have to help the natives even more so than we do white people who are parents. It is one of the tragedies of native welfare that there is no guarantee of employment for these people and this is something that concerns me very greatly.

There is a great deal of co-operation with the Education Department; and this was mentioned by the member for Boulder-Eyre who said that white children sit alongside native children in school, and the native children hold their own until about the sixth grade and from then on, for some reason or other, they do not keep pace with the white children. It is my belief that this is the stage of life at which the native children begin to wonder what the future holds for them, and they give up. Indeed, the future is very bleak for many of these people. There is no hope for many of them. There is no employment available; and the children see their parents idle around the camps or stations.

The department, and each and every one of us, will have to strain every nerve to make higher education available to these people. This will require finance, and we are making that available now. When the natives qualify for better jobs it will be the responsibility of employers in industry to make opportunities available to them, as is done for white people. I know many of these native

people have secured employment. I know of some in our agricultural towns who are working in retail stores behind the counter. They are neatly dressed and are as efficient as any other person employed in those establishments.

Unfortunately, I also know of a case where we secured employment for a native girl. As soon as the prospective employer knew she was a native he said, "I am sorry, I cannot employ this native behind the counter because I would lose custom. People would refuse to be served by this native girl. I will have to give her a job out the back in the packing department."

I hope it will not be long before we white people can become a little more educated in this respect. Some suggestion has been made tonight that we should abolish the Natives (Citizenship Rights) Act. However, I would point out that this Act confers a right which enables natives with citizenship rights to go into a hotel to purchase and consume liquor with a white person. An amendment to the licensing Act, which has already been presented to the Parliament, will confer this privilege of drinking liquor on all natives outside of an area as yet to be proclaimed. There is nothing fixed; and I would point out that the boundaries of this area will largely depend on the reports I receive from my native welfare officers and others. When I am in possession of this information we will be able to take a risk and proclaim the boundaries.

I hope that once these natives have enjoyed the privilege, we will quickly learn of their reactions and that sooner or later —I hope sooner rather than later—we can extend this privilege until ultimately it is granted all over the State.

Mr. Hawke: Does the Minister really think it is a privilege?

Mr. LEWIS: The Leader of the Opposition asks a pertinent question. He asks whether it is a privilege. I do not think that alcoholic liquor has ever conferred a privilege on any man, whether he be white or coloured. It is something that a white man—many white men—enjoys as a social benefit or advantage; when he can get with his mates, enjoy a drink, and discuss current affairs, politics, or anything else.

But the fact is that this right—rather than a privilege—is denied the native people; and I think that undoubtedly makes them feel they are inferior. I think it engenders an inferiority complex in natives.

Mr. Hawke: I think it is more appropriate to call it a legal right rather than a privilege.

Mr. LEWIS: By our conferring this right on the native an advantage will be conferred on him. He will know that he has the same right—whether or not he wishes to take advantage of that right—as the white man. I know that there are natives who are total abstainers. Some people imagine that all natives are inebriates. But some natives are total abstainers, and I would hope that the majority of them would be moderate drinkers. Some of them will drink to excess. But, as we know, that merely follows the pattern of white men.

Returning to the question of citizenship rights, if we abolished the Citizenship Rights Act, it would mean that those natives who are in what we might term prohibited or proclaimed areas, where drink cannot legally be consumed, would have their citizenship rights taken away from them; and if they had already qualified to consume liquor, that qualification would be taken away from them.

Mr. Rhatigan: Where are the prohibited areas?

Mr. LEWIS: We have not defined them.

Mr. Rhatigan: Could you not give us some idea?

Mr. LEWIS: Let us say that half of the State—it could be one-quarter, one-half, or less—is an area where natives have access to liquor. In the other half of the State liquor is denied them. In the latter half some natives might have their citizenship rights and thus would have legal access to liquor. If we take these rights away from them, it would mean that they would lose the right or the privilege which they enjoy at present. So I feel we should retain the Citizenship Rights Act for the time being. There would be no disadvantage to the native if we retained the Act, and we would be retaining some of the rights and privileges that he now possesses.

Mr. Rhatigan: Cannot you give me some indication of where the prohibited areas might be?

Mr. LEWIS: No; I cannot. I have already explained, during my second reading speech, that before the Act is proclaimed we will engage on an intensive education campaign among the natives in an endeavour to bring them to an awareness of their responsibilities under this legislation; and to teach them how to behave themselves in hotels. We do not want the acquisition of this new-found right for the native to arouse the enmity of the white population. We can do much to guard against that by launching an education campaign.

Mr. Davies: Do you feel that this will be a long process?

Mr. LEWIS: No; I would not expect it to be a long process. I would say three months or so at the outside.

Mr. Hawke: Can you train them to bend the elbow safely in three months?

Mr. LEWIS: Many of them do not bend the elbow very safely at the moment because they have access to all sorts of inferior liquor at exploitation prices. By having access to liquor they will be able to drink under a certain amount of supervision, and they will be able to consume better quality liquor than they can now obtain. The Leader of the Opposition might question whether any liquor is of good quality, and he is entitled to his opinion.

Mr. Hawke: Some are worse than others.

Mr. LEWIS: This measure will help the native quite a lot by enabling him to drink under supervision and to drink better liquor at lower prices than he gets now; and he will also have the benefit of example—and I hope it will not be a bad one—of the white patrons in the bar.

Mr. Davies: Surely some areas could be proclaimed!

Mr. LEWIS: There have been many helpful suggestions put forward. I do not wish to weary the House by dealing with each one of them. There have been many constructive criticisms in connection with the Bill. Some of them are already being carried out by the deparment, and others that have been suggested tonight will receive very earnest consideration with a view to their being incorporated in the policy of the Native Welfare Department, with myself as Minister, as soon as possible.

Mr. Rhatigan: Cannot you give us an indication tonight of the proclaimed or prohibited areas?

Mr. LEWIS: I cannot, because I do not know them. It will depend upon reports that will come in during the course of the proposed education campaign. On the question of liquor, I wish to say, for the benefit of those members who might have some very serious misgivings, that this right was given to the aborigines in New South Wales. Mention was made earlier tonight of the fact that I did not go on with my earlier proposal of calling these people aborigines. But if my memory serves me right, about 10 years ago—I could be a year or two out—there was a suggestion that the term native should be changed to aborigine.

I do not throw that out by way of criticism. I am informed that these things go in cycles. If we change the name to aborigine, then in 10 years' time some people might prefer a change back to the term native.

Mr. Rhatigan: You referred to the native in New South Wales. You cannot compare him with the native in Western Australia.

Mr. LEWIS: I have already explained, in connection with the social evolution of our natives in Western Australia, that they range from those who are fully assimilated to those at the other extreme: those who are primitive, nomadic natives in the desert. Many of our natives compare quite favourably with those in New South Wales.

Mr. Rhatigan: But there are no primitive natives in New South Wales.

Mr. LEWIS: No; but there are many natives in Western Australia who are just as socially advanced as those in New South Wales; but the native in New South Wales has access to liquor, while the native in Western Australia has not.

I propose to read part of an article which appeared in the May 1963 issue of "Dawn". It reads as follows:—

> From northern N.S.W., where it was vociferously opposed, the mixing of white and coloured drinkers caused little stir at all, doubtless to the disappointment of the calamity howlers.
>
> For weeks they had been prophesying disaster and tumult once aborigines were allowed to drink decently in bars instead of having to buy their liquor furtively from slygroggers and consume it guiltily in secret.
>
> Of course, as intelligent persons knew, nothing at all happened. The aborigines did not abuse their new right.

There is quite an article on the subject, if any member is interested. Inquiries from New South Wales have confirmed the fact that the granting of these rights caused no undue upset in that State.

If I have omitted to reply directly to the suggestions put forward by various members, I will give them very serious consideration and will give effect to them wherever it is possible.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. I. W. Manning) in the Chair; Mr. Lewis (Minister for Native Welfare) in charge of the Bill.

Clauses 1 to 6 put and passed.

Clause 7: Duties of Department—

Mr. GRAYDEN: I am sorry to spring this on to the Minister. I propose to move a small amendment to paragraph (d). I move an amendment—

> Page 4, line 31—Insert after the word "aged" the word "distressed".

The paragraph would then read—

> (d) to provide, as far as practicable, for the supply of medical attendance, medicines, rations and shelter to natives who are sick, aged, distressed, or infirm.

The clause already makes provision for natives who are sick. The clause could apply to natives in central Australia who

might be suffering from malnutrition, or from lack of water; and the clause would be more explicit if the word "distressed" were added. It would give the department greater latitude in doing something to alleviate the conditions which arise.

The Minister might be able to have the amendment introduced in another place. It would enable the department, as far as is practicable, to provide medical attendance, medicines, rations, and shelter to natives who are sick, aged, distressed, or infirm.

Mr. LEWIS: While I appreciate the concern of the member for South Perth, I think the position is fairly well covered. The subclause to which he refers is exactly the same as a subsection in the present Act. I think distressed natives would come within the scope of the words, "sick, aged, and infirm." So far as I am aware this has never posed any difficulty, and I am sure that had it done so the commissioner would have drawn my attention to it. I could not accept the amendment.

Mr. GRAYDEN: In that case I am quite happy to withdraw the amendment and leave the clause as it stands. I seek leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Clause put and passed.

Clauses 8 to 10 put and passed.

Clause 11: Commissioner of Native Welfare to be appointed—

Mr. NORTON: This is the clause to which I referred on the second reading, and I ask the Minister to have a look at subclause 2 which deals with the appointment of a deputy to the commissioner. According to the subclause, when the Governor appoints a deputy he is authorised to exercise any power and perform any duty that the commissioner may have to exercise. I am wondering whether the Minister can give us some information as to how far this deputy commissioner can go; and whether, as it appears, he has exactly the same powers as the commissioner.

Mr. LEWIS: This, too, is an exact copy of the existing Act, and I am not aware that it has posed any difficulties in administration. I would refer the honourable member to the last words in the subclause which read—

> . . . but the appointment of a deputy does not affect the exercise or discharge by the Commissioner himself of any power or duty.

I would say there is no conflict or overlapping.

Clause put and passed.

Clauses 12 to 19 put and passed.

Clause 20: Entering of reserves prohibited—

Mr. MOIR: I refer the Minister to subclause (1). As I said on the second reading, a right that the native does not have is to invite or call upon his member of Parliament, whether he be a Federal or State member, to interview him on a reserve. I think this is necessary; because whether a person has voting rights or not he should still have a right of access to a member of Parliament.

I did say that, under the present situation, if some person in such a position required a member to visit him at his residence on the reserve the member could obtain the services of the Protector of Natives who might or might not consent to proceed to the reserve and take the member with him. But that could be most unsatisfactory, because the person concerned might not wish to discuss his business in front of the protector.

It must be remembered that in the community there are many thousands of people who are not qualified to be electors, by virtue of the fact that they have not obtained naturalisation. But I would say, without exception, that if members, here and in another place, were asked to go to see somebody, whether he was an elector or not, they would make themselves available. They would not inquire whether the person concerned was on the roll. We all know that on many occasions it is necessary for us to visit homes to get further details when we are asked to do something for people.

We must remember, too, that reserves differ. There are some where the people live under fairly primitive conditions, but there are others where the people live in houses the same as others do elsewhere. I think reserves are essential, and I fully agree with the restrictions in the Bill because these people are entitled to privacy. But I think it is wrong that a member of Parliament should not have access to the people on the reserves. Members of Parliament are responsible people, and they would exercise any such right soberly and in a proper manner. I would like the Minister to give consideration to an amendment which I have drafted. I shall not move it but I would like to hear the Minister's views. My proposal is to insert after the word "native", in line 22 on page 11, the words, "or a member of either House of the Federal or State Parliament."

Mr. LEWIS: I quite appreciate the points raised by the honourable member, and from his remarks it was obvious that he appreciates the reasons for the restrictions on people entering reserves. The honourable member mentioned members of Parliament, but I would say that a candidate for Parliament should have the

same right to make himself known to these people, and the position is amply covered by regulation No. 24, to which I direct the honourable member's attention.

So far as I am aware the regulations are interpreted sensibly and as it is the Minister who actually grants the permit I have no doubt that he would grant to a member of Parliament, either Federal or State, a permit to enter a reserve if he wished to do so for a special reason. I see no reason why a permit should not be granted to enter a reserve, but I am sure that the member for Boulder-Eyre will appreciate that we cannot give a blanket permit to anyone. I appreciate he does not ask for that Rather than amend the Act, this matter should be covered by the regulations. If it does not work out, then Parliament can have another look at it.

Mr. MOIR: I propose to move the amendment I have outlined, because the reasons given by the Minister are entirely unsatisfactory.

> Page 11, line 22—Insert after the word "native" the words "or a member of either House of the Federal or State Parliament."

I object strongly to the posting of a bond, to obtain permission to see an elector of mine who happens to reside on a reserve. I would not agree to the posting of a bond, or to being compelled to communicate with the commissioner on each occasion. If I had to, the position would be impossible.

My electorate extends from Boulder to Esperance, a distance of 250 miles. On a journey I might not know until I got to Norseman that one of my electors living on a reserve wanted to interview me. Does the Minister expect me to wait until I have obtained permission from the commissioner and posted a bond? I cannot agree that the regulations would cover the situation. I understand that on each and every occasion a member of Parliament desiring to enter a reserve would be required to obtain permission, and it could lead to the depositing of a sum of money permanently with the commissioner.

What would be the purpose of such a bond? Surely it would not be for the good conduct of members of Parliament. We have been elected to Parliament by a large section of the community who regard us as responsible people. That also applies to Federal members of Parliament of all political parties. It is most degrading for members of Parliament to be subjected to the procedure I have outlined.

Reference was made by the Minister to a political candidate entering the reserve. In this respect I must be politically naive, because that thought did not cross my mind. The whole idea in submitting my amendment was to render service to the people living on reserves in my electorate. It is not a matter of electioneering among these people.

Mr. GRAYDEN: I appreciate the argument put up by the member for Boulder-Eyre, which is a valid one. Rather than insert the proposed words in the clause, the position could be covered by the regulations. Under proposed new section 37 (2) regulations may be made with respect to certain of the matters mentioned therein. On page 22 of the Bill one of the matters is—

> authorising entry upon a reserve by specified persons or classes of persons for specified objects, and the conditions under which those persons may enter or remain upon a reserve, and providing for the revocation of such authority in any case.

Mr. BRAND: I am not very happy with the proposal to give members of Parliament special authority to enter reserves. A particular reserve could be represented by a number of members, and they should not be given special authority at the exclusion of shire councillors or ministers of religion.

Mr. Rowberry: They could be specified persons.

Mr. BRAND: They could be specified under the proposal of the member for South Perth. There are many people who have strong reasons for entering reserves for the purpose of assisting natives. The principle contained in the clause is very important and should remain as it is. An alteration in the procedure should be covered by the regulations.

Mr. Rowberry: The amendment proposed by the member for Boulder-Eyre refers to specified objects.

Mr. BRAND: Why not include shire council members and ministers of religion for specified objects?

Mr. LEWIS: It is not necessary to secure a permit for each and every entry into a reserve. Permits can be obtained for a period of 12 months, and these generally expire on the 31st December. They can be renewed for a further 12 months. I have seen many such permits, but I have not known of any cash bond being posted. The regulations state that a bond may be required. It is only the *bona fides* of the applicant, and the purpose for entering the reserve, which are vital to the application. If we are satified with a person's *bona fides* he receives a permit.

Mr. BRADY: I support the amendment. It should not be left to a departmental officer to decide whether permission should be granted. Members of Parliament are elected by the people to carry out certain duties, and they should be given the right to enter reserves without permits. We are the ones who make the laws of this State and we should have ready access to these places.

There are many matters on which natives seek advice, and on numerous occasions I have interviewed natives. I imagine the member for Moore has been invited to the reserve near Moora to give advice on certain matters. Should the Minister have to apply to a departmental officer for a permit? It would be simple to overcome the problem by including the words proposed in the amendment, so that members of Parliament could at any time in the future go on to reserves to investigate various matters which require attention.

After I became a private member of Parliament in 1959 I had occasion to go on to various reserves, and I have gone there without a permit. I have a responsibility to many thousands of electors, and I have the same responsibility to natives living on reserves.

Mr. NORTON: I support the amendment, and in doing so I outline a personal experience. There is a reserve about 125 miles east of Carnarvon. In that area there is no native welfare officer, or an officer of the department. On one occasion the secretary of the road board asked me to make an inspection of a native reserve to see whether it should be shifted to another place, and to find out how it was being conducted. It was not possible for me to obtain a permit from the native welfare officer or from the Minister; and I had to break the law by entering the reserve without a permit. Such cases could take place in the outback centres of the State in which no native welfare officers are stationed. Members of Parliament should not be prevented from entering native reserves for the purpose of inspecting the conditions under which natives live, and of ensuring that they receive proper treatment.

It might be that the officer in charge of the district is not a suitable person and might refuse to go on to the reserve with a person. In that case there would be no possibility of seeing what was going on and making a report to the Minister. Every member of Parliament should have the right to visit the reserves.

Mr. LEWIS: I am rather amazed at the vehemence with which the members opposite are submitting this great need to have the right to go on to reserves. This provision has been in the Act for many years, but no-one has found it any disadvantage until this very moment. Surely the members who have complained about this have had some desire to go on to reserves to see conditions under which natives have been living; but it is not until natives have received the right to vote that they are suddenly raising the matter. If members read the Act they will ascertain the conditions under which a person may enter a reserve. Under this Bill it will be necessary for the commissioner himself to authorise a complaint before a person can be charged. But in regard to a person obtaining permission to go on to a reserve, this has been necessary for many years.

Mr. Norton: But the penalties are a lot higher now.

Mr. LEWIS: I have not had a chance to look at the penalties, but in regard to the matter under discussion, and that is trespassing on reserves, the provision in this Bill is exactly the same as that in the Act.

Mr. MOIR: I am absolutely astounded at the attitude of the Minister, and I would consider the veiled insult in his remarks that members are only concerned now because some of these natives have voting rights, is not justified. For his information, I would state that I do not know one person who lives in a reserve in my area who has availed himself of the right to be enrolled on the electoral roll. What is more, it does not worry me one iota. At the most, I would estimate there would only be about a dozen people who would be involved, but I am not aware of one of them. The Minister's remark makes me feel rather indignant. It was unworthy of the Minister to make that suggestion.

Mr. Lewis: I did not make any inference.

Mr. MOIR: The Minister said that the matter had not been raised before and that it seemed rather strange we showed interest in reserves now because some of these people had the right to be enrolled as voters.

Mr. Lewis: I said that surely you must have been interested before.

Mr. MOIR: Of course; but I object to having to break the law. I have had to go on to a reserve before on a matter of sanitation, or lack of it. There was an epidemic at Norseman among the natives because no toilet facilities were provided. To the credit of the department it shifted those concerned to another reserve and provided very good sanitary arrangements, together with an ablution block.

However, if I went there next week without permission, I would be liable to the very heavy penalties contained in the legislation. I notice that there is no provision for hanging a person, but I am absolutely amazed at the situation. For the benefit of the member for South Perth who is not in his seat, but can hear me, I submitted the suggestion. I stated that I did not intend to move it pending the Minister's consideration of the matter. If the Minister had said then that he was prepared to bring in a regulation along those lines I would have been satisfied. I also informed him that I would be quite happy if an amendment were made in another place. However, when he refused all my suggestions, I had no option but to move the amendment.

Mr. Lewis: I said it was covered by regulation.

Mr. MOIR: Yes; but I maintain it is not. The Minister read from the regulation which stated that upon application to the commissioner permission may be granted to a person to go on to a reserve and a bond may be required. It did not say it shall be required. However, I object very strongly to the fact that the commissioner may require me to post a bond for that purpose. As the member for Gascoyne pointed out, it is not always convenient to get the person in authority to accompany one on to a reserve. Therefore I feel the procedure is absolutely ridiculous.

Another point is that the Minister said that certain rights were being given to the natives in order that they might not develop an inferior complex. Yet in a simple matter like this we say they are not to have the same rights as any other person in an electorate. They cannot request their member to inspect their reserve. Rather, they can request him, but he cannot go without permission. I would point out to the Minister that not even he can go on to a reserve without the permission of the commissioner. The situation is just too ridiculous.

Mr. Lewis: That has been the position ever since there has been an Act.

Mr. W. A. MANNING: The amendment would permit any member of a Federal or State Parliament to go on to any reserve in the State. That is too wide. I feel we must preserve some amount of protection. There could be something in allowing the local member permission to go on to the reserves in his area, but that may not be necessary, either. The member for Boulder-Eyre apparently believes that every time he wants to go on to a reserve he has to obtain a permit. That is not so. I have had authority to go on to the Narrogin reserves for years, and can go on at any time. I do not have to seek permission each time. There is no reason why other members should not obtain the same permission. I see no obstacle at all in the present set-up which has worked perfectly well as far as I am concerned. However, the honourable member's amendment would make it wide open and would be wrong.

Mr. Graham: Why?

Mr. W. A. MANNING: I will give an illustration of the impression gained by three Nigerian visitors who were shown over Allawah Grove. When they returned to Sydney it was reported in the Sydney newspapers that they had been shown over the reserve in Western Australia. They stated that people were taken on to the reserve the same as visitors were taken to the zoo to see animals. That is the picture those Nigerians gained. I admit it is not a true picture, but just shows how stupid people can be over these matters. Why should teams of parliamentarians run around the reserves?

Mr. Graham: Who is talking about teams? If the permission is so easy to get, could they not all get it?

Mr. W. A. MANNING: If there was any reason. There would be no reason for me to want to go on to the reserve at Boulder or Norseman.

Mr. Graham: Why not, as a matter of public interest?

The CHAIRMAN (Mr. I. W. Manning): Order!

Mr. W. A. MANNING: I do not think there is necessity for every member of Parliament to have a permit to go on to all reserves throughout the State. Reserves are places where natives are protected.

Mr. Graham: Do you think they need protection from members of Parliament?

Mr. W. A. MANNING: I think it is unwise to give permission to all members of Parliament, because it is unnecessary. There is no reason why any member should not apply for a permit for the reserves in which he is interested; and there are no difficulties about it. Therefore, I do not see any reason for altering the present set-up because it has worked perfectly well as far as I am concerned.

Mr. NORTON: I would like to ask the Minister a question: How did the member for Narrogin get a permanent pass, and not an annual pass to go on to a reserve?

Mr. LEWIS: I do not know. The member for Narrogin could probably answer that question; but I daresay the member for Narrogin has established his *bona fides* in the same way as the member for Gascoyne, or any other member of this Chamber could do so; and he would have no more difficulty in getting a permit than did the member for Narrogin.

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

	Ayes—20	
Mr. Bickerton		Mr. D. G. May
Mr. Brady		Mr. Moir
Mr. Davies		Mr. Norton
Mr. Fletcher		Mr. Oldfield
Mr. Graham		Mr. Rhatigan
Mr. Hall		Mr. Rowberry
Mr. Hawke		Mr. Sewell
Mr. W. Hegney		Mr. Toms
Mr. Jamieson		Mr. Tonkin
Mr. Kelly		Mr. H. May
		(Teller.)
	Noes—22	
Mr. Bovell		Mr. Hutchinson
Mr. Brand		Mr. Lewis
Mr. Cornell		Mr. W. A. Manning
Mr. Court		Mr. Mitchell
Mr. Craig		Mr. Nalder
Mr. Dunn		Mr. Nimmo
Mr. Gayfer		Mr. O'Connor
Mr. Grayden		Mr. Runciman
Mr. Guthrie		Mr. Wild
Mr. Hart		Mr. Williams
Dr. Henn		Mr. O'Neil
		(Teller.)

Pairs	
Ayes	Noes
Mr. Curran	Mr. Burt
Mr. J. Hegney	Mr. Hearman
Mr. Evans	Mr. Crommelin

Majority against—2.

Amendment thus negatived.

Clause put and passed.

Clauses 21 to 38 put and passed.

Schedule put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Mr. Lewis (Minister for Native Welfare), and transmitted to the Council.

BILLS (2): RETURNED

1. Agricultural Products Act Amendment Bill.
2. Fruit Cases Act Amendment Bill.

Bills returned from the Council without amendment.

LICENSING ACT AMENDMENT BILL (No. 4)

Second Reading

Debate resumed, from the 21st November, on the following motion by Mr. Lewis (Minister for Native Welfare):—

> That the Bill be now read a second time.

MR. BRADY (Swan) [10.25 p.m.]: This Bill is to amend three sections in the parent Act. It is to repeal and re-enact with amendments section 150; to amend section 151; and to repeal section 152. The gist of the proposal of course is that ultimately natives throughout Western Australia will get the same rights to drink liquor as any other person in Western Australia.

It would appear that as far back as 1905 there were some difficulties with natives in regard to the liquor question, and restrictions were placed in the Act in that year to stop the supply of liquor to natives. Then, in 1911, a further amendment was made to the Act so that natives who received liquor could be prosecuted. It would seem that those provisions have been continued in the Act for the last 52 years.

In subsection (2) of section 151 there is a provision that natives shall not be permitted to loiter or remain on premises; but I recollect being in Nullagine in 1957; and I found a native was employed there as a yardman at the wayside inn. Apparently in his early days he had been an outstanding footballer in the Bunbury district, and he had ultimately gone into the backblocks and had stopped at Nullagine.

When I looked through the Act I found that subsection (2) of section 151 provided as follows:—

> Provided that this section shall not extend to prevent the lawful employment, by any person holding any such license, of any aboriginal native on the licensed premises with the consent in writing of the Commissioner of Native Affairs.

So it seems that despite the efforts made in 1905 and 1911 to prevent natives being placed in a position where they can get liquor, or receive liquor, they have been employed on hotel premises in isolated cases. That is not to say, of course, that the native concerned was a drinking man. As the Minister said earlier this evening, some natives are total abstainers, and I hope that there will be quite a few of them in the future when the provisions of this Bill are extended to them. In that way they will get the benefit of it ultimately as citizens.

On the other hand I would not place any restrictions in the Licensing Act, because I believe that natives, as citizens, should have the same rights as anybody else, and they should be permitted to decide for themselves whether or not they will drink liquor.

As regards the provisions in this Bill, I feel that the Minister should be sympathised with in some respects because we will be entering into a phase of native activities, in regard to their education, which could be one of the most difficult times or phases that any Minister has had to handle. At the present time section 150 reads—

> No person, whether licensed or unlicensed, shall sell, supply, or give any liquor, in any quantity whatsoever, either alone or mixed with water or any other liquid, to any aboriginal native for himself or for any other person, or solicit or receive from an aboriginal native an order for the supply or delivery of liquor.
>
> Penalty: One hundred pounds, or imprisonment for six months, or both.

So it can be seen from that penalty that there has been a severe restriction on people supplying natives with liquor. But now the Minister intends to amend that section and to put in the following:—

> (2) Any native who knowingly receives or is in possession of any liquor commits an offence.

Penalty: Five pounds, or imprisonment for one month.

(3) This section applies only to such portion or portions of the State as the Governor may by proclamation declare to be an area or areas to which the provisions of this section shall apply.

(4) The Governor may from time to time, and at any time, by proclamation declare any portion or portions of the State to be an area or areas for the purposes of this section and thereupon the provisions of this section shall apply to each area so proclaimed.

(5) A proclamation made under this section may be cancelled or from time to time varied, or an error in a proclamation may be rectified, by a subsequent proclamation.

(6) In this section and in section one hundred and fifty-one of this Act, the term, "native" has the same meaning as that term has in and for the purposes of the Native Welfare Act, 1963.

My interpretation of that is that, in future, areas can be proclaimed where the natives could have an open go in regard to the buying of liquor; and if it is subsequently proved that the open go was detrimental to their well-being it could be withdrawn.

I have done a lot of research into this matter and I would point out that it would seem that approximately 50 per cent. of the natives have found themselves in gaols of Western Australia for breaches of the liquor laws. There are approximately 200 to 250 natives in gaol from time to time. I think the record disclosed that last year there were about 450 natives in gaol, and it would seem that drunkenness was their greatest difficulty. Not less than 1,524 men, and 428 women were either arrested by constables, or summonses were taken out against them on the charge of drunkenness. In the case of habitual drunkenness. there were 25 males charged, and six females; those committing offences against the Inebriates Act numbered one; and against section 160 of the Licensing Act, 13 males and three females. Those charges appear to have been mostly built up to about 446 native men and 165 native women. Those are offences against what the Police Commissioner refers to in his report as offences against good order.

By comparison with white people, there are 359 males, and 127 females who have been up for similar types of offences; or, in other words, one-third of the natives have been charged with offences against good order, drunkenness, habitual drunkenness, and offences against the Inebriates Act, and against section 160 of the Licensing Act.

In addition to that the Commissioner of Native Welfare, in his report for 1962 under the heading of Crime and Justice, refers to this aspect when dealing with the northern district as follows:—

Broome

The number of cases heard at Broome involving natives are—1961-62, 108; 1959-60, 122.

Of the offences related to liquor there is a decrease (as evinced in the figures above) with the exception of receiving of liquor charges.

Wyndham

The majority of charges brought against natives within this Sub-District were in connection with liquor.

Halls Creek

There has not been one case before the court concerning natives in the last three months.

North-West District

No major offences were committed by natives within this District. With an odd exception, appearances in Court were either directly or indirectly attributable to liquor.

North Central District

It is pleasing to report another year free from serious crimes committed by natives in this District. There is little, if any, from my observation, anti-social behaviour on the part of natives in the area. Most offences, as the reports of the Sub-District Officers set out hereunder indicate, are related to liquor either in the capacity of consumer or supplier. The "bottle ban" wherever same has been effectively imposed has helped considerably not only in keeping to a minimum liquor offences, but those connected with disorderly behaviour.

Meekatharra

"Another year has passed without any bad reports.

There has been the usual flow of liquor-caused minor Police Court charges, but apart from these there has been no crime of a serious nature encountered.

The "bottle ban" imposed in 1960 is still proving very effective, and must I think, be largely responsible for the overall good behaviour in the district.

Eastern District

The usual incidence of liquor offences continued at almost all towns. Despite 12 convictions for supplying liquor at Kalgoorlie, natives can still obtain liquor, invariably wine, whenever they desire to do so.

I will not continue to read the report. I merely wish to remind the House, and more particularly the Minister, that he has a

very big responsibility in relation to the amendment he is seeking to the Licensing Act. I hope, with him, that ultimately, by education from his officers, these people will be able to—if I might use the term—carry their liquor. But, as I said before, I hope many of them will have enough sense to be able to leave the liquor alone. However, it is their choice, and I would like to see the restrictions that have been imposed under the Act for many years removed; and I support the removal of such restrictions.

Like the Minister I have travelled over the State from one end to the other. I have always tried to observe objectively the position in regard to liquor. I have been in the Shark Bay Hotel and have seen more coloureds—they do not like the term natives being used—in the bar, than whites. This refers to both men and women. I have been in numerous other hotels in the north-west and I have seen that at least 25 per cent. to 35 per cent. of the patrons are coloured. There has been no difficulty in any of those parts where they were allowed to drink at the bar. At one hotel in the north there was a case where the licensee should have been gaoled for supplying liquor to a patron, because it was quite obvious that the native in question had had quite enough when he came in for another issue.

That is where the difficulty arises. We have these hungry, avaricious licensees trying to get the last penny out of their unfortunate victims or patrons, by supplying them with liquor, when they should be refused liquor because they have already had too much to drink.

I remember on one occasion I was at Gnowangerup with Mr. Watts. We went into a wayside inn, and the only two other people who came into the place were a native and his wife. They sat down and had a quiet drink after which they left the premises. Had it not been for their colour nobody would have known that they were under any particular difficulty as a result of their being natives. I remember when I was Minister receiving a letter from a country hotel manager who wanted my permission to allow him to have two bars—one for coloured and one for whites. I said that I was going to be no party to a colour bar—that if he was going to provide liquor to natives as citizens, then they should have the same drinking rights as whites. He did not pursue the matter.

I recall another area where there is a hotel quite close to a native reserve, where trouble was experienced with natives getting liquor over the week-end—on Saturdays and Sundays—and it was necessary to ask for a policeman to be permanently stationed in the area. Ultimately the Minister agreed to a policeman being stationed permanently in that area.

I relate these matters to let the House and the Minister know that we could be facing some difficulty. I feel that more than three months' training will be required. The Minister suggested that in three months these people could be trained. I should say it would take years in some cases to train some people in the difficulties associated with drink.

If the Minister gets this legislation through, as I think he will, I hope he will carry out an intensive education in all aspects. He could well call on the temperance organisations to give him a hand; because he will not need any assistance in regard to espousing the cause, and the virtues of drink, since the people who provide the drink will see that it is well advertised. We see that in the Press every day. However we do not see the case put forward from the temperance point of view pointing out the difficulties associated with drink, and the harm that can be done to people who cannot take it in moderation, whether they be whites or coloureds.

I remember recently that in New Guinea the liquor laws were relaxed, and at once the womenfolk applied to the administrator and asked for the restrictions to be reimposed, because they found their menfolk were indulging to excess, and were causing a considerable amount of trouble.

In my own electorate I had the case of Allawah Grove where the natives could obtain drink in bulk, and in bottles, which caused no end of difficulty. I recall the late Mr. L. Gibbons, ex-Town Clerk of Guildford who, after about 25 or 30 years on the bench at Guildford, said he felt it would be preferable to have the natives receive drink under the Act without restriction, rather than have them drinking furtively around the Guildford area, where they were able to obtain drink from all sorts of sources; and because of the restriction they found it necessary to hide their liquor in lavatories, gullies, and so on.

I go along with that sentiment, and feel that this is a step in the right direction. I can only hope that when this legislation is applied as an Act, areas will be proclaimed for drinking, and that there will be the greatest and most intensive education by the departmental officers. I understand the Minister has now employed project officers, together with mobile welfare officers; and I suggest that one of the first things that should be done in the near future is to give these people the fullest possible instructions as to what they should do about training of natives, both young and old, in all aspects. I say all aspects of liquor, because whilst I am virtually a teetotaller I know there are cases when the taking of liquor in medical form can do some good.

Natives should realise that although they may be teetotallers, emergencies can arise and a dose of brandy can save a life.

So I say that we should not be too narrow. We should say to them, "You now have a chance to have a drink; but use your brains. That is what God gave them to you for; see that you use your liquor to the best advantage."

I want to help the Minister, because I know he will have a difficult job; but I would like to see him apply a bottle ban. Do not have natives buying bottles or carting bottles back to the reserves. I would also say: Do not give them spirits; and do not give them wine in the initial stages. I would try to encourage them to drink in the bars with white men so they will know how to carry their liquor, because for the last 50 years they have been taught to drink their liquor as quickly as possible—get it down and get it out of the road. It has done them great harm to drink under those circumstances. That is the way they have been trained by the people who have been selling them liquor at excess prices and encouraging them to drink on the sly, thus making their lives difficult and miserable.

If the natives can be encouraged to go to the bar to order a middy or a schooner or, as I would suggest, a shandy, and drink in the same manner as white people, ultimately they will come out on top and it will be shown once again that the native is the equal of the white in regard to what he can achieve.

I do not want to speak at length as I know there are two or three others Bills tied up with this measure. However, I thought this was the most important of the four and decided I should give the benefit of my thinking in regard to the matter. I hope the amendments proposed by the Minister will be carried; and I hope, as I said before, that the Minister will not rush into this matter and that he will take very cautious action in regard to the proclamations which will allow natives to drink. I hope that they will first apply to areas where the amount of drinking could be kept down, and then work up gradually to bulk and bottled beer. In addition, I hope he will see that the natives are not encouraged to drink wine and spirits.

I say that even though, to some extent, it is against my own best interests, because I have winegrowers in my electorate. However, even these people would agree with what I have said as, I am sure, would other people in the liquor trade. I feel that if we educate these people they will ultimately reach our white standards. I feel this measure is worth while in that regard so long as everything is done in the right proportion. I support the measure. It is necessary to repeal a section of the Act in order that the licensing law will function as the Minister intends. It is now no offence for a native to loiter in the vicinity of a hotel, but it was previously. I do not think that has been strictly policed because, for some years, I have seen natives loitering in the vicinity of a hotel. I support the amendments proposed by the Minister.

MR. RUNCIMAN (Murray) [10.50 p.m.]: I support this Bill because first of all I think we are only legalising what is going on at the present moment, particularly in the south-west of this State. It is quite a common thing to see natives drink around corners. Only recently I was at a hotel in a south-west town and saw an elderly native go in with a sugar bag on his back and a few minutes later he staggered out, not because of anything he had to drink, but because of the weight of his bag. Any native who wants to drink can obtain it. Many natives seem to enjoy a childish delight in doing something they are not supposed to do. They are deliberately flouting the law and are drinking practically under the noses of the police.

It is like putting a place out of bounds. Immediately that is done a certain section of the community will endeavour to go there. By giving natives the right to drink we will get rid of the poor type of white person who makes money out of selling drink to natives. I have heard of cases where as much as £2 per bottle has been charged for wine. We will get rid of that type of person; and that in itself will be a very good thing. We also have natives who possess citizenship rights and they supply the rest of their community with liquor.

I have known cases where natives have refused to accept citizenship rights because they know that pressure will be brought to bear upon them to supply their friends and relatives with drink. Unfortunately, the main drink is cheap wine that we usually call plonk. Nowadays the natives obtain it in demijohns, hurry around the corner where a crowd of them congregate, and the drink is gone in no time. It is a good thing that we are allowing them to go into a hotel to buy a drink in an orderly fashion. I feel it will be so much better for them. In addition, they may be encouraged to drink beer which, I feel, would be a lot better for them and would not be so intoxicating

Not all natives drink; but the fact that they are not supposed to drink while white people can, engenders a feeling of resentment. I think some of our hotel proprietors are somewhat disturbed about one aspect; and I feel the onus will be upon them to a great extent to see that the natives behave themselves and do not give trouble or become intoxicated. There is a thought with many people that once the natives go into a bar the white people will shun them and go into another bar, or perhaps go to a club. This may be the

position at first, but I do not think it will continue. If the natives can go into a hotel the police will be able to deal with them much more effectively if they play up or look for a fight once they are under the influence of drink. I would point out that in the main they fight amongst their own people. They seldom attack white people.

I was a little concerned about the effect it would have on hotels, so when I was in New South Wales last May I made it my business to see a number of members of Parliament who had a native population in their area, where this law had been in progress for two or three months. I found that practically all of the members were somewhat apprehensive when the Bill was introduced into the New South Wales Parliament. I understand also that the Minister was a little bit concerned about the effect it might have.

However, during the time after the Bill was passed and until it became law, a great deal of education and work was done by the Aborigines Board of New South Wales; and when the measure eventually became law the natives were ready for it. When I was in New South Wales it had been in operation for two or three months and they had not experienced one untoward incident. A few of the hotel proprietors who initially said that they would not serve natives, did not take long to decide that they would serve them.

There were one or two cases where natives went into a beer garden with their families and they were not suitably attired. The publican spoke to them and they went home, dressed properly, and came back. If the natives in Western Australia behave themselves as well as the natives in New South Wales—and I do not see any reason why they should not—we will have achieved something good for them. However, we must conduct an intensive educational campaign, after which I feel there should not be any trouble.

Mr. Graham: Was there any evidence of hostility by white drinkers against the black people?

Mr. RUNCIMAN: There was very little, and it quickly disappeared.

Mr. Graham: Very good.

Mr. RUNCIMAN: People in our north-west are used to this sort of thing. It is quite a common thing for boundary riders, stockmen, and bosses to drink together at the bar. They do not think twice about it. I think people will become used to it and that it is principally a matter of hygiene and dress. However, publicans will be realistic about it and they will be able to do quite a lot to see that everything is O.K. I have much pleasure in supporting the Bill.

MR. LEWIS (Moore—Minister for Native Welfare) [10.57 p.m.]: I want to thank the member for Swan and the member for Murray for their support of this Bill. I do not intend to make any lengthy reference to this matter, because a great deal has already been said about it in connection with the Native Welfare Bill. However, I would remind members that at the present time natives obtain all the liquor they want, even though it is inferior liquor at higher prices than those that should prevail. I am not very much concerned about the last factor.

This legislation is designed to improve the drinking habits of natives. I feel it will be acceptable to our own people without any undue protest. Some white people may take a little bit of adjusting to the fact that natives are drinking in the same bar as themselves, but I do not think that will last for long. The position will soon be the same as it is at Broome and Wyndham where natives sit alongside one in a restaurant and even wait on tables.

I hope this measure will help improve the drinking habits of the natives and also bring them to the realisation that they now have the same privileges and the same responsibilities as white people. They will be subject to the same penalties in regard to their drinking habits; they will be subject to the same prohibition, or the "Dog Act", as we know it; they can be refused a drink just as white people can and for the same reasons; and their families can be charged with being neglected just as the families of white people can when liquor is the cause.

The member for Swan pointed out that this was a very big social step forward so far as natives are concerned. We hope it will be a step forward and we confidently feel it will be. Because we appreciate the magnitude of it, we propose to start on a modest scale. After intensive education we feel we will be able to give it a tryout; and I hope that from there we can proclaim other areas as we gain experience in the original areas. I know this has already been given effect in New South Wales. It is under close consideration at the moment and it is being investigated by a committee in Queensland. Recommendations have been put forward in the Northern Territory that it be placed on the Statute book. We have already been informed that it is in existence in New Guinea; and we know, too, that it has been given effect in a restricted area in South Australia. I feel we have every reason to feel confident in Western Australia as to the outcome.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. Lewis (Minister for Native Welfare), and transmitted to the Council.

EVIDENCE ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 21st November, on the following motion by Mr. Lewis (Minister for Native Welfare):—

That the Bill be now read a second time.

MR. BRADY (Swan) [11.5 p.m.]: My address to the House in connection with this Bill will be only a short one. The purpose of the Bill is to delete reference to "aboriginal native" in several parts of the Act. I think many people have not been aware of the provisions of the Act. It is felt that in the majority of cases natives are sufficiently educated, and it is not now necessary to have these provisions retained in the Act. There is nothing of great significance in the amendments, and I support the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. Lewis (Minister for Native Welfare), and transmitted to the Council.

CRIMINAL CODE AMENDMENT BILL (No. 2)

Second Reading

Debate resumed, from the 21st November, on the following motion by Mr. Lewis (Minister for Native Welfare):—

That the Bill be now read a second time.

MR. BRADY (Swan) [11.10 p.m.]: My comments on this Bill will be even fewer than my comments on the previous Bill. The Minister is moving to delete reference in the Act to the whipping of a native. In the past there was a special provision in the Act with regard to the whipping of a native under the age of 18 years of age.

It is now felt that a native is, in law, equal with his white brothers, and that an amendment to the Act is necessary. Having regard for all the circumstances, I propose to agree to the Bill. However, I would ask one thing of the Minister. I hope that every effort will be taken by native welfare officers and the various missions to apprise the native community of what these amendments mean. It might be that some natives would not understand them. But the majority of the younger natives will appreciate that there have been some changes to the Act. They will try to understand these amendments and they will advise their elders accordingly; and ultimately their elders will receive the benefit of their children's education in this respect.

I would suggest that the various amendments be circulated among the natives in illustrated form, because natives are avid readers of illustrated matter. The various amendments could be portrayed in illustrated matter. I think it is inevitable, when changes are taking place under the Native Welfare Act, that amendments will be necessary to the Criminal Code. I support the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. Lewis (Minister for Native Welfare), and transmitted to the Council.

MINING ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed, from the 21st November, on the following motion by Mr. Lewis (Minister for Native Welfare):—

That the Bill be now read a second time.

MR. MOIR (Boulder-Eyre) [11.16 p.m.]: In a way, this Bill is complementary to the Native Welfare Bill, which has just been dealt with in this Chamber. As a matter of principle, I have no objection to this measure. In a certain respect, I want some assurance or undertaking in regard to natives who continue to come under the control of the Native Welfare Department.

This section of the Mining Act is one that relates to the manning of leases. Any leaseholder must conform with the provision to employ so many workers on his lease according to its area. Mining leases must be worked; and there are, of course, other conditions which apply to them. In the first instance, this provision to exclude all aboriginals from the provisions of the Act does not mean that they should not be employed there, it merely seeks to

ensure that the requirements of the Act are met when aboriginals are employed for the manning of mining leases.

Of course, it is readily understood that had that been permitted in days gone by, natives could have been employed on a mining lease on a very low rate of remuneration. We know that in the early days some employers were not slow to exploit native labour. It is in that regard I would like the Minister to give an undertaking that the department will ensure that those natives who come under its control and who are employed on mining leases will be paid the rate of pay applicable to the work on which they are engaged.

I mention that because, while there are unions which will enforce their awards on behalf of those men who are employed on mines, in the main employers will pay the proper wages without any trouble. However, in isolated cases, and especially in isolated areas, it has been found that some employers will attempt to obtain cheap labour by employing natives. Whilst I cannot believe that the department would allow natives to be employed under such conditions, it is possible, without having a true realisation of what these people are entitled to receive, for the department to allow them to be employed on a wage less than that which is laid down for the work on which they are engaged.

There are other conditions, of course, which would be required to be observed when employing any labour on a lease. They are covered by Acts of Parliament and will not require any attention from the Minister. I have merely raised this point because I would hate to see, in the removal of this exclusion provision from the Act, that we are leaving the way open for unscrupulous employers to engage this type of labour at a much lower rate than that which they would have to pay to white labour if it were engaged.

MR. LEWIS (Moore—Minister for Native Welfare) [11.22 p.m.]: When the officers of the Native Welfare Department recommended this provision being taken out of the Act, I drew attention to the very point raised by the member for Boulder-Eyre, and they assured me that there was no need for it at all in these times. I can assure the member for Boulder-Eyre that the Department of Native Welfare is always on the alert to ensure that no native is exploited: and whilst occasionally an isolated case may be unknown to it the department takes steps to ensure that justice is done. Moreover, natives in these times are nobody's fools, and I do not think many of them would allow their conditions of labour or pay to be exploited for very long.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. Lewis (Minister for Native Welfare), and transmitted to the Council.

FIREARMS AND GUNS ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed, from the 21st November, on the following motion by Mr. Lewis (Minister for Native Welfare):—

That the Bill be now read a second time.

MR. BICKERTON (Pilbara) [11.25 p.m.]: I can find no logical reason for opposing this measure, and I therefore support it.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. Lewis (Minister for Native Welfare), and transmitted to the Council.

BILLS (5): ASSENT

Messages from the Governor received and read notifying assent to the following Bills:—

1. Bread Act Amendment Bill.
2. Police Act Amendment Bill.
3. Parks and Reserves Act Amendment Bill.
4. Bulk Handling Act Amendment Bill.
5. Metropolitan Water Supply, Sewerage, and Drainage Act Amendment Bill.

VETERINARY MEDICINES ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 21st November, on the following motion by Mr. Nalder (Minister for Agriculture):—

That the Bill be now read a second time.

MR. NORTON (Gascoyne) [11.29 p.m.]: This is a small Bill and seeks to bring the Act up to date. No doubt you, Mr. Speaker, will recall that back in 1953 you made some complaints to the then Minister for Agriculture regarding the sale of veterinary medicines and compounds. It was found that certain people were selling various compounds and medicines which were not up to standard. Through your request, Mr. Speaker, this Bill came into being.

With the passing of time, and with the development in science, one or two parts of the existing Act have become outmoded in respect of the interpretations, and this Bill seeks to correct them. In the main the definitions affect the committee which examines the various veterinary medicines on sale. The Bill seeks to include a definition of "analyst", and a definition of "veterinary surgeon", to bring it within the meaning of the Veterinary Surgeons Act of 1960.

The Bill also affects the person who is now designated as occupying the office of Divisional Chief, Food, Drugs and Toxicological Division of the Government Chemical Laboratories of the State; and also the person for the time being occupying the office of Chief Veterinary Pathologist of the Department of Agriculture of the State.

Quite an important amendment is contained in the final provision in the Bill which seeks to give the Minister the power to appoint persons to the committee where the designation of the various members of the committee has changed. As happened in the last few years the category and standing of officers in the various services were altered. This provision in the Bill will give the Minister power to make appointments, from time to time, as are necessary in compliance with the Act. I support the second reading.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. Nalder (Minister for Agriculture), and transmitted to the Council.

TRAFFIC ACT AMENDMENT BILL

Council's Amendments

Amendments made by the Council now considered.

In Committee

The Chairman of Committees (Mr. I. W. Manning) in the Chair; Mr. Craig (Minister for Police) in charge of the Bill.

The CHAIRMAN: The amendments made by the Council are as follows:—

No. 1.

Clause 7, page 5, line 10—Delete the word "shall" and substitute the word "may".

No. 2.

Clause 7, page 5, lines 11, 12 and 13—Delete the passage ", irreducible in mitigation, notwithstanding the provisions of any other Act, of" and substitute the words "not exceeding".

Mr. CRAIG: Both these amendments are acceptable and they refer to the penalty for overloading. It was considered by various members in this Chamber that such a penalty, particularly in relation to a second offence, was rather harsh, especially on a person who was not deliberately trying to offend. The intention behind the Bill was to bring about a more serious deterrent to the persistent type of offender who does not care whether or not he obtains a permit for overloading. On the suggestion of members it was considered that the word "shall" should be deleted, and the word "may" substituted. As a result of further inquiries on the suggestion, I undertook to have the necessary amendments made in another place. I move—

That the amendments made by the Council be agreed to.

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

Report

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

IRON ORE (MOUNT GOLDSWORTHY) AGREEMENT ACT AMENDMENT BILL

Second Reading

MR. BOVELL (Vasse—Minister for Lands) [11.41 p.m.]: I move—

That the Bill be now read a second time.

This Bill, having been passed by another place, has been transmitted to this House. When last year's Bill, ratifying the agreement between the Government and the several firms which were to undertake the development of the Mt. Goldsworthy iron ore deposit, was passed, there was a general intention that the harbour for the export of iron ore would be established at Depuch Island, and the agreement was based accordingly.

Although the agreement envisaged this course, it was well known at the time that such decision could only be based on survey information then available. Under the agreement, the "Joint Venturers"—

which is the term used to identify the firms concerned—undertook immediate obligations. Amongst these was an obligation to make a general reconnaissance of the various sites of operations; the selection of a railway route to a suitable harbour; engineering investigations of suitable wharf sites; wharf installations; and the planning of townsites both at Mt. Goldsworthy and at Depuch.

There was provision that, in all these matters, the Joint Venturers would consult with the Government. The State was obliged to make adequate areas of land available for jetties, marshalling yards, townsites, etc.

As mentioned previously, the company was required to select the port site in consultation with the State and the consulting engineers, Messrs. Rendel, Palmer & Tritton, and give due and proper consideration and regard to their reports and advice on the general development and utilisation of the island as a deep-sea port.

There was this further provision that should the State consider that the areas selected by the Joint Venturers would prejudicially affect the proper development, use, or capacity of the port as a whole, the Joint Venturers should not be enabled to proceed until a final decision was determined.

It will be appreciated that very many important factors are dependent upon the right choice of a harbour site. Briefly, these may be enumerated as dredging, wharves, railway, roads, and townsites, and the lands necessary for their construction. It is further provided in the agreement that in the choice of any site or route, each party will have regard not only to their respective interests but also the general development of the area or areas likely to be affected.

Since the ratification of the agreement, both parties have been carrying out their obligations satisfactorily. Nearly £1,000,000 has been spent, for instance, by the Joint Venturers on preliminary investigation, field engineering, designs, and estimates of construction costs.

As a consequence of the investigations, the Joint Venturers are undecided at this point of time on the location of the port site and it could be that they will select a site other than Depuch Island. There exists no elasticity in the agreement in this respect, so it is desirable and necessary in the best interests of both parties to the agreement that provision be now made to vary the arrangements if proved necessary.

In view of the fact that the change of programme could possibly be made in the next few months, at a time when Parliament is in recess, it is very desirable to have a provision enabling the parties to the agreement to vary it in a manner necessary at the time, thus avoiding any delay.

The Government, in response to the verbal representations made earlier, was convinced of the desirability of amending the Act to accommodate a probable variation of the original agreement.

This Bill was accordingly drafted. The passing of this measure would give the parties to the agreement the right to vary it to give effect to the following:—

(a) to require, or enable the State to grant to the company a lease of any area (including the outer ocean approaches to any port or place) to be dredged;

(b) to substitute for Depuch Island, mentioned in the agreement, another port or place and, in the event of such a substitution being made, to make consequential or other amendments, with respect to the railway, townsites, facilities, services and other matters referred to in the agreement; and

(c) to bring about the more efficient or satisfactory fulfilment of its objectives.

This measure is considered to be in the best interests of both parties to the original agreement and is necessary to enable the development of the project to proceed to its ultimate success.

It is not my desire in introducing this Bill to give any clear indication whatsoever that the Joint Venturers will, in fact, choose Port Hedland or any other place instead of Depuch Island but, bearing in mind the notice dates in the agreement, it could well be that the company would desire to further negotiate with the Government on the change of port site when, as I have already said, Parliament was not in session. This would result in considerable delay, and whilst it could be said that the arrangements made could be ratified by Parliament at its next session, we cannot get away from the fact that the Mt. Goldsworthy agreement Act provides specifically for the establishment of a port at Depuch Island.

I say this because I do not want, for instance, the townsfolk at Port Hedland to be led into the belief that there will be a change when, after further consideration and investigations, it may be that the company resorts to the original plan.

On the other hand, the Government is anxious, in the interests of the State, to see contracts for the sale of this mineral negotiated as soon as possible and I feel that Parliament is justified in authorising the Government to come to any decision necessary in respect of the relocation of the port site.

Mr. Tonkin: Does the Bill enable the company to escape the obligation to build a port?

Mr. Brand: No.

Mr. BOVELL: I would not think so. This is only a proposal for an alteration of the site, as I understand it.

Debate adjourned, on motion by Mr. Bickerton.

ELECTORAL DISTRICTS ACT AMENDMENT BILL

Second Reading

MR. COURT (Nedlands—Minister for Industrial Development) [11.49 p.m.]: I move—

That the Bill be now read a second time.

This Bill comes to us from another place having been passed in that House in the second and third reading stages by a unanimous vote of the members. On the 26th September, 1963, the Legislative Council passed the following motion:—

> That this House expresses the opinion that there should be a redistribution of the provinces of the Legislative Council of Western Australia, which would involve amendment to the Electoral Districts Act of 1947 which should be introduced into the Parliament of Western Australia, such amendment or amendments to provide that the Electoral Commissioners appointed under the Act shall redistribute the fifty Legislative Assembly districts into Electoral provinces, containing complete and contiguous Legislative Assembly districts so as to provide a more equitable distribution of Legislative Council provinces than obtains at the present time; and that contingent upon a redistribution of the provinces of the Legislative Council of Western Australia as aforesaid and not otherwise, this House expresses the opinion that future elections for the Legislative Council should be conducted upon the basis of adult franchise with compulsory enrolment and compulsory voting; and to that end, this House requests the Government to forthwith introduce legislation to give effect to the provisions and amendments contained within this motion.

The Government made a decision to introduce legislation to give effect to the terms of the motion and this Bill which has been passed by the Legislative Council is the first move to put the terms of the motion into effect.

Upon examination of the question, it became quite obvious that if a redistribution of Legislative Council provinces was made under the present position of the State being divided into 10 provinces with biennial elections to elect members of the Legislative Council, and that if elections were to be held on an adult franchise basis with compulsory enrolment and voting, there would almost invariably be an election for one House of Parliament or the other in this State practically every year.

This would place us in a position of unnecessarily duplicating a similar type of election almost every year and it is considered that no Government would desire such a situation to exist.

Attention was, therefore, turned to ascertain whether any other basis more satisfactory could be arrived at.

This Bill which I am now introducing, and which was passed by the Legislative Council, if approved by this House will give effect to redividing the State into 15 electoral provinces and the 30 members of the Legislative Council will be elected on a triennial basis for six years, from which it follows that half the members of that House will come up for election every three years rather than one-third of the members every two years as at present pertains.

I feel that the contents of the Bill introduced into the Legislative Council are now known to members, but it may also be desirable for me to give some indication as to how the whole plan will be brought into operation from a legislative point of view. It will be necessary to amend three Acts of Parliament—

(1) The Electoral Districts Act with which this Bill deals.
(2) The Constitution Act Amendment Act.
(3) The Electoral Act.

The provision for the redistribution of the State into 15 provinces is contained in the Bill now before this House. The machinery to give effect to this change from 10 to 15 provinces will be contained in a Bill to be presented to amend the Constitution Act Amendment Act and the amendments to the Electoral Act will be consequential to both.

To give effect to the proposals it is necessary to obtain a starting point and this can be effectively done by providing that the elections for the Legislative Assembly and Legislative Council, because they will be on the same franchise and the same basis of enrolment and voting, should be held in the same year and presumably on the same day of that year.

It will, therefore, be seen that the obvious course to follow is to have the next triennial election for the Legislative Council in 1965—the year in which the next general election for the Legislative Assembly is scheduled to occur.

The amendment to the Constitution Act Amendment Act to provide that there will be no election in 1964, but that it shall take place in 1965, will have to be introduced. To do this, we must have half the members of the Legislative Council—15 of them—retire in 1965. This will be achieved by bringing the 10 members due

for election in 1964 forward to 1965, bringing five of the members normally due to retire in 1966 back to 1965 to make up the 15, and the other five members of the 10 normally due to retire in 1966 will be taken forward to 1968; that being the year in which the next general election for the Legislative Assembly would normally occur.

The five members who will be brought back to 1965 will be those five who gained the smallest percentage of winning margin to the total votes cast in the last election contested by those members, which was in 1960, and the remaining five will be put forward to 1968.

The first phase of electing the 15 members in 1965 will be done by normal application to an election for the Legislative Council following the redistribution of seats, and provision will be made in the Bill to amend the Constitution Act for the other 15 members due to retire in 1968 to find places alongside the members who were elected in 1965, and a reallocation of provinces in respect of those members will require to be made. There will, of course, be other amendments to the Constitution Act Amendment Act.

With respect to amendments to the Electoral Act, it will not be necessary to present a Bill in this present session of Parliament and the Government would like an opportunity to closely examine the Electoral Act with an object to giving effect to a number of necessary amendments, and here I refer principally to the administrative provisions of the Act.

As there will be no Legislative Council election in 1964, other than perhaps a by-election, the effect of the amendments will not take place util 1965, but in the event of there being a by-election the present provinces and conditions will prevail.

The Bill I am now introducing in the first place provides for one or two drafting amendments. The Chief Justice is given his correct designation. A change in one of the commissioners from the Under-Secretary for Lands to the Surveyor-General is made. This is considered desirable for two reasons; one being that the present Under-Secretary for Lands retires in January next year and the other being that the present Surveyor-General has been appointed a commissioner under this Act previously and he is also an electoral commissioner under the Commonwealth Act.

The State will be divided into 15 provinces of two members each. There will be three areas. The metropolitan area shall consist of five electoral provinces, each of which shall consist of at least four and not more than five complete and contiguous electoral districts. The agricultural, mining, and pastoral area shall consist of eight electoral provinces, each of which shall consist of three complete and contiguous electoral districts. The north-west area, which will include the electorate of Murchison, shall consist of two electoral provinces, each of which shall contain two complete and contiguous electoral districts.

Clause 7 of the Bill provides the machinery for a further redistribution of provinces at a time when the existing balance of Legislative Assembly seats in various areas may alter as a result of a redistribution of these seats. The Bill provides that the electoral commissioners shall name and determine the boundaries of each new province. The usual submission of a report by the electoral commission and the publication of the report in the *Government Gazette* is provided for.

A person who is a member of the Legislative Council on the "appointed day" will be entitled to sit as a member of the Legislative Council as though the Electoral Districts Act, 1963, had not come into operation and such entitlement is not affected by reason only of the fact that the State is divided into 15 provinces, unless, of course, he was disqualified for some other reason already contained in existing legislation.

The Act will come into operation on a date to be proclaimed and it will be so proclaimed to have effect for the first election to be held on the new basis in 1965. The Government considers that the proposals are fair and equitable and this has been borne out by the unanimous support of this Bill by members of the Legislative Council.

When The Hon. F. J. S. Wise was speaking to the motion to which I have referred, he stated that he thought some members might be affected to the extent of losing their seats if a redistribution of Council boundaries were made. This, of course, is not known at present, but it is realised that the members who will be brought back from 1966 to 1965 and who have already been elected until 1966, would suffer a loss in the event of being defeated, and the Government considers it a fair proposition that any of these five members defeated in the 1965 election should have paid to them from the date of that election until the date that they would normally have been due to retire in 1966, their salary in respect of that period.

It is not intended to introduce any legislation to cover this point but an undertaking is given by the Government that arrangements will be made accordingly. It is also obvious that anyone of these members referred to may find himself affected in his entitlement under the Parliamentary Superannuation Fund legislation and, in this regard, in the next session of Parliament the Government will introduce an amendment to that Act making it possible for any member defeated in 1965, who was normally due to continue in his seat until 1966, to retain his membership in the fund as if he were a contributing member up to

the date of his normal retirement in 1966, which means that being in receipt of his salary, he would make his contributions to the fund until the date of his normal retirement in 1966.

I repeat that this Bill was passed through the second and third reading stages by the unanimous vote of members of the Legislative Council, and if this house passes it, the other legislation already foreshadowed will be introduced immediately in order to give effect to the whole legislation proposal making the change.

Debate adjourned, on motion by Mr. Hawke (Leader of the Opposition).

TRAFFIC ACT AMENDMENT BILL (No. 3)

Council's Amendment

Amendment made by the Council now considered.

In Committee

The Deputy Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Craig (Minister for Police) in charge of the Bill.

The DEPUTY CHAIRMAN: The amendment made by the Council is as follows:—

> Clause 4, page 7, line 16—Insert after the word "seventy" the word "five."

Mr. CRAIG: The amendment is acceptable. It refers to driver's licenses and the proposal in the Bill regarding drivers of 70 years of age or more. When the Bill was before this Chamber it was felt by a number of members that the proposal was somewhat severe, because so many drivers in this age group are just as capable as younger drivers. The amendment of the Legislative Council is to raise the age to 75 years. I agree with that. I move—

> That the amendment made by the Council be agreed to.

Mr. GRAHAM: The Opposition accepts the amendment as being an improvement on the provision in the Bill when it left this Chamber, but we still object to the principle requiring a person, merely because of the state of the calendar, to have to undergo a medical examination. If there was a proposition from the Minister that any person who, in the opinion of the Commissioner of Police, had a state of health or a physical condition that would cause some doubt as to his ability to handle a vehicle, and he could cause such a person to undergo a medical examination, there would be some merit in it.

As some of us suggested at the time, a person under the age prescribed could be suffering from a deterioration in mental or physical health, and there would be no question about his being able to renew his driver's license. In order to safeguard himself he could post in the amount required for the renewal of his license, or he could get somebody to renew it on his behalf. But as I have said, the Legislative Council's amendment represents an improvement, and for that reason we have no objection to it.

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

Report

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

House adjourned at 12.6 a.m. (Thursday)

Legislative Council

Thursday, the 28th November, 1963

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The PRESIDENT (The Hon. L. C. Diver) took the Chair at 2.30 p.m., and read prayers.