

Mr. BOVELL: The Leader of the Country Party has missed my point. In the first instance he is charged, but is not committed for trial, but nevertheless, the people, through the Press, are not permitted to know anything about the acquittal. That is the impression that I gained from the Bill.

Hon. A. F. Watts: I think the hon. member is wrong.

Mr. BOVELL: That is how I read the clause. If the Minister can advise me to the contrary, I will be quite satisfied. The Leader of the Country Party differs from me, but I would like to be assured that, in the case of a person being committed for trial and who is subsequently acquitted, the Press is not restricted from giving publicity to the proceedings.

Any person can go to the court, come out, and make garbled reports, yet the Press would not be allowed to publish the facts of the case. Furthermore, Section 92 of the Constitution would preclude this measure from operating in States outside Western Australia and the details could be published in the newspapers of the other States of the Commonwealth. That would mean restricting the publication of news in this State only. There is nothing in the Bill to prevent announcements respecting any proceedings of any trial over the air, and we all know that radio is an accepted medium of spreading news. It is an unfair challenge to the freedom of the Press, and I oppose the clause.

Hon. A. F. WATTS: I hope the Minister will not try to put this clause through tonight. This is a matter that requires considerable thought. On many points, I agree with the member for Vasse, while on others I do not. The Bill was introduced last Thursday and it is a brand new proposition that we have. It apparently arose out of the remarks made by the select committee in another place. The Minister could quite easily have found us still debating the second reading, whereas we have reached Clause 58 of the Bill, and it would be reasonable I think to report progress to allow a little more thought to be given to this clause. There are one or two aspects to which we might agree. I do not think that asking the Press to refrain from publishing the photographs of jurors on criminal trials is a limitation upon its freedom which should concern us.

The Minister for Justice: I will ask leave to report progress.

Hon. A. F. WATTS: In that case, I will leave the remainder of my remarks till later.

Progress reported.

*House adjourned at 9.25 p.m.*

# Legislative Council

Wednesday, 7th August, 1957.

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

## QUESTIONS.

### BRAHMIN-SHORTHORN CATTLE.

#### *Establishment of Stud in North-West.*

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

(1) In view of the great advance in breeding cattle for difficult environments and the notable success in producing heavy weights and early maturity of the Brahmin-Shorthorn cross, now a fixed breed known as Santa Gertrudis, will the Government consider the founding of a stud of this breed for use in the Kimberley pastoral areas?

(2) If the Government agrees that the establishment of such a stud is likely to be of substantial benefit to herds in our North-West, will early consideration be given for the use of the Ord River research station for the purpose?

The MINISTER replied:

(1) Over a long period, a strain of Shorthorn beef animal has been evolved which is suited to the environment of the Kimberleys, and which provides a good carcass when seasonal and management

conditions are satisfactory. The Santa Gertrudis breed has been developed under the different conditions of Texas, U.S.A.; and, as yet, it is not known that it is as well suited to the Kimberley region as the selected Shorthorn. Its introduction into herds at this stage could therefore be premature.

Consideration will be given to determining the suitability of the Santa Gertrudis breed to the Kimberley environment when further information is available from Queensland concerning its adaption to conditions in that State.

(2) The Kimberley research station will be considered as a site for any studies undertaken with Santa Gertrudis cattle.

### BRIDGES.

#### *Axon-st. Structure.*

Hon. W. R. HALL asked the Minister for Railways:

(1) Is he aware of the dangerous state of disrepair of the Axon-st. railway bridge at Subiaco?

(2) Is he also aware that the wooden decking of the bridge has come away from the studs or bolts, allowing the planks to jump up as vehicular traffic passes over it?

(3) Is the maintenance of the bridge the responsibility of the Railway Department?

(a) if so, can an endeavour be made to effect the necessary repairs immediately;

(b) if not, can this serious matter be referred to the responsible authority concerned?

The MINISTER replied:

The Railway Department is responsible for the maintenance of the beams, corbels and piers. The decking is the responsibility of local authorities. Agreement has been reached between local authorities and the Government for the construction of a new bridge, for which estimates are now being prepared. It is understood the Perth City Council is at present effecting repairs to the decking.

### COMO BEACH.

#### *Restoration Proposals.*

Hon. A. F. GRIFFITH asked the Minister for Railways:

(1) What are the proposals for the restoration of the shallow beach at Como?

(2) How far out into the river as it now exists will the shallow water extend?

(3) Measured in yards, how far out along the jetty will the new roadway commence; or in other words, how much—measured in yards—of the existing jetty will be removed to make way for the proposed roadway?

(4) Has consideration been given to the possibility of the artificial beach being eroded when the river is in flood?

(5) If consideration has been given to this thought, what are the proposals to avoid such an occurrence?

(6) Is it proposed to establish the artificial beach by depositing beach sand from some other beach?

(7) If this is not the case, what will be the scheme?

(8) Has the restoration of Como beach been included in the total cost of the highway project?

(9) If so, how much has been apportioned for this purpose?

(10) Will the highways be completed and ready for use by the time the Narrows bridge is opened to traffic?

(11) Will the Minister for Works conduct an on-the-spot inspection of the Como foreshore and explain the proposals to members of Parliament on the same day as that already arranged for the inspection of the Narrows bridge; namely, the 16th August?

The MINISTER replied:

(1) The beach will be replaced by sand dredged from the river.

(2) Not less than about 160 yards.

(3) Ninety yards of the existing jetty will be absorbed by the proposed highway.

(4) Yes.

(5) Little erosion is expected.

(6) No.

(7) Sand will be dredged from the river bed in deep water away from the beach.

(8) Yes.

(9) The additional reclamation for the restoration of Como beach will cost approximately £11,000.

(10) Yes.

(11) No.

### WATER SUPPLIES.

#### *Availability of Boring Plant.*

Hon. L. A. LOGAN asked the Minister for Railways:

As repeated requests over the last three years for a water-boring plant for the Mingenew-Wongoondy light land areas have been refused, in what circumstances has a water-boring plant been made available for boring for water at Collie for the power house?

The MINISTER replied:

A contract has been let for the use of private plant and the work is being financed from State Electricity Commission funds obtained for power station purposes.

**CIVIL DEFENCE.***Government Proposals.*

Hon. A. F. GRIFFITH asked the Minister for Railways:

(1) Has the Government any proposals in connection with civil defence in this State?

(2) Have any discussions taken place between the Government and local authorities on the matter?

(3) If so, will the Government give some details of the discussions?

(4) Has consideration been given to the grouping of certain areas for convenience of operation of any proposed plan?

The MINISTER replied:

(1) Yes.

(2) and (3) Planning has not yet reached the stage where detailed discussions with local authorities can usefully be undertaken, but senior representatives of three of the major metropolitan local authorities have been sent to the Commonwealth Civil Defence School.

(4) Yes.

**STREET LIGHTING.***Metropolitan Area.*

Hon. A. F. GRIFFITH asked the Minister for Railways:

(1) Does the Government agree that the state of lighting on highways generally in the metropolitan area is bad?

(2) What is the Government's policy towards improvement?

(3) Has any conference taken place with local authorities concerned in connection with the matter?

(4) If so, what are the details of such conference?

The MINISTER replied:

(1) No.

(2) Investigations are being made to establish an adequate and economical lighting scheme for highways.

(3) No.

(4) Answered by No. (3).

**BILLS (3)—THIRD READING.**

1, Agriculture Protection Board Act Amendment.

2, Fremantle Prison Site Act Amendment.

3, Dairy Cattle Improvement Act Repeal.

*Passed.*

**BILL—NURSES REGISTRATION ACT AMENDMENT.***Second Reading.*

Debate resumed from the previous day.

HON. G. C. MacKINNON (South-West) [4.40]: It would appear that this Bill is a perfectly reasonable one. The Nurses Registration Board has been doing certain things which were beyond its power; but it seems to be generally accepted that its actions were reasonable, and it is just as well to make the position legal.

There is only one slight reservation in the minds of some people, and that concerns the permitting of nurses with a mental nurse's certificate to obtain a remission of six months' training. It is felt that the nursing of mental patients is quite different from general nursing, since the patients are often completely fit physically and their illness consists of a nervous disorder. It is suggested that some degree of caution should be exercised by the board in allowing a concession to nurses who apply for it on the score that they have done some nursing in a mental home. Apparently everyone is quite happy that caution is being exercised, but what I have said has been by way of a word of warning. I support the Bill.

On motion by Hon. L. A. Logan, debate adjourned.

**BILL—BEES ACT AMENDMENT.***Second Reading.*

Debate resumed from the previous day.

HON. L. A. LOGAN (Midland) [4.41]: This Bill will tend to make the Act workable. The Governor has power to make certain recommendations in regard to disease in beehives or infected appliances being used in the industry; but until such time as the Governor's order can take effect, anything can happen in regard to the shifting of bees or the transferring of appliances from one place to another.

The amending Bill gives power to an officer to issue an interim order which, in effect, means that when a disease is known to have occurred in a hive the owner can be immediately prevented from moving from one place to another or shifting his appliances. That is only fair and reasonable. The disease which most beekeepers fear is American foul brood, and any attempt that can be made to prevent that from spreading is to be commended.

The only other amendment of note deals with compensation. It proposes to substitute for the word "No" in line 1 of Subsection (3) of Section 9, the passage, "Except where, and to the extent that, the Bee Industry Compensation Act, 1953, provides otherwise, no." As was pointed out, the section provides that no person shall be entitled to compensation for any

action taken in connection with the prevention or eradication of disease, and the Bill qualifies this by making it subject to any provision in the Bee Industry Compensation Act.

In 1955 when compensation levies were collected, the amount received was £620. Since that time a total of £535 has been paid out in compensation, yet the balance in the fund is still £673 19s. 5d. Accordingly, despite the fact that well over £600 has been paid out, the fund is greater than it was in 1955. Both the amendments are commendable, and I support the second reading.

Question put and passed.

Bill read a second time.

#### *In Committee.*

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

### **BILL—LOCAL COURTS ACT AMENDMENT.**

#### *Second Reading.*

**HON. E. M. HEENAN** (North-East) [4.49] in moving the second reading said: The Local Court rules are out of print, and for some time past that has been occasioning inconvenience and difficulty to court officers and the legal profession. As some of the rules are out of date, the Law Society was asked to submit suggestions for any amendments to the rules that the society considered necessary.

In order that the society's proposals can be carried out, certain amendments are required to the Local Courts Act; and that is the purpose of this Bill, which, if approved by Parliament, will come into operation on a day to be fixed by proclamation. This is necessary so that magistrates, clerks, and other officers, and the legal profession can familiarise themselves with the changes effected, and where necessary the rules can be amended or reprinted.

The first amendment deals with the listing for hearing of an action. The present system of listing is regarded as unsatisfactory to both the court and the practitioner. By this system, if the hearing is in the country, the clerk of courts lists it for the next sitting of the court. If it is in the metropolitan area, it is listed for the next available date. This method has proved unsatisfactory in cases where neither party may be ready for the hearing or where negotiations for settlement may be in progress. The proposal in the Bill is that an action will not be listed for hearing unless one of the parties so requests.

The Bill seeks next to enable judgment in default of defence to be entered for pecuniary damages not exceeding £25. The present position is that there has to be

a hearing for an assessment in every case. At present if a person sues another for £25 wages due and the defendant does not enter a defence, the plaintiff can obtain judgment for the sum by default and that is the end of it; but if a person sues another for £25 damage done to a vehicle in a collision, he cannot enter judgment by default for that amount as it has to go before a magistrate for assessment.

Most assessments arise out of damage to vehicles, and it is thought unnecessary to have the case set down for assessment where the amount does not exceed £25. Where the amount of damages is £25 or less, the time of the court will not be taken up in assessing it, if the defendant does not contest the matter; but in claims exceeding £25, it will still be necessary for a magistrate to assess the amount even though no defence is entered.

**Hon. H. K. Watson:** What is the position if, through inadvertence, a defence is not entered? I had in mind your remarks of last night.

**Hon. E. M. HEENAN:** Last night I was discussing the Justices Act, which usually deals with minor offences such as traffic breaches, assault, abusive language and so on; but I am now speaking of the local court, which deals with civil claims.

**Hon. H. K. Watson:** Assume that, through inadvertence, a defence is not entered in a civil claim?

**Hon. E. M. HEENAN:** There is provision in the Local Courts Act whereby one can accomplish what I explained last night. When a summons is served on a person he usually has five days in which to enter a defence under the Local Courts Act; and if, through inadvertence, he fails to do so, and judgment against him is obtained by default, he can apply to have the judgment set aside; and if he can establish a *prima facie* case, he can get it set aside. Where claims exceed £25, the usual procedure now laid down in the Act will be followed.

A further amendment deals with the execution of a warrant to arrest a witness. The present practice is that the warrant must be executed by a bailiff of the court from which the warrant is issued. This is a cumbersome method which can involve expense, and so the Bill proposes that such warrants can be executed by the bailiff of the court nearest to the place where the witness is.

This is the same procedure as is carried out with warrants of execution and commitment. The effect will be that the bailiff of the local court in Perth will not have to journey to Narrogin, for instance, to arrest a witness as the Bill proposes that the bailiff of the Narrogin court shall be empowered to do it, which will save a lot of expense.

The Bill also seeks authority to enable clerks of courts in certain circumstances to act in the place of magistrates in dealing with judgment summonses. The intention there is to avoid magistrates having to travel long distances solely for the purpose of hearing judgment summonses, as can occur in the more remote country areas. The judgment summons is one issued subsequent to a case having been decided. If the person concerned cannot or does not pay the amount, a judgment summons is issued, and the court goes into his means and orders him to pay so much per week or per month; and he has to comply with that order.

I have in mind centres like Leonora, Esperance or Norseman, where there are local courts every month, and possibly the only matters listed are two or three judgment summonses. If the magistrate wants to hear them, he has to travel to those centres although the work could be done equally well by the clerk of courts. The Bill therefore proposes to give the clerk of courts jurisdiction to hear judgment summonses.

Hon. G. Bennetts: Could a J.P. take those cases?

Hon. E. M. HEENAN: No. This is a different court from the Justices Court, and that is why magistrates such as Mr. O'Sullivan and Mr. Harwood have to visit country centres. If a dispute arises over a wages claim or damages to a motor-vehicle, that is the local court's jurisdiction; but the magistrates who handle local court matters can also handle justices court matters.

There is no doubt that the appointment of additional magistrates is desirable, but at the present juncture this is not practicable. There is a dearth of suitable qualified persons available for appointment, and it has been the experience that legal practitioners do not apply for magistrates' positions in remote areas. I would emphasise that the Bill provides for a clerk of courts to act in respect of a judgment summons only when so requested.

Hon. J. M. A. Cunningham: By whom?

Hon. E. M. HEENAN: By the magistrate. If a judgment summons was listed at Leonora, the magistrate at Kalgoorlie might write up and ask the Leonora clerk of courts to deal with it.

Hon. H. K. Watson: At the moment he has no power to delegate his authority?

Hon. E. M. HEENAN: No. The only person who has power to make an order under a judgment summons at present is the magistrate. The Bill provides that any order made by a clerk of courts on a judgment summons shall be suspended until the order is reviewed by the magistrate, who may confirm, vary or set it

aside. This review must be made by the magistrate as soon as possible. That is a safety clause, I think.

Hon. H. K. Watson: It seems to render the delegation rather ineffective, though, does it not?

Hon. E. M. HEENAN: It seems to limit it in some way, but I think it is just a precaution to ensure that the clerk of courts has done the right or the reasonable thing.

Hon. H. K. Watson: The Bill does say, "in the physical presence of the magistrate."

Hon. E. M. HEENAN: Yes. The magistrate of the Perth Local Court agrees that the proposal in the Bill would obviate a substantial waste of time and stationery and would result in less work for court staff.

The last amendment in the Bill seeks to remove the necessity of a table of court fees and bailiff's fees being exhibited in some conspicuous place in the courthouse and in the clerk's office. These placards are not considered necessary, as any information regarding fees can be obtained from officers of the court. I know that all courts have large placards with the list of fees printed on them.

Hon. Sir Charles Latham: That is a great convenience for the public, and it would not waste the time of the clerk of courts.

Hon. E. M. HEENAN: It is considered that these placards are not necessary, as any information regarding fees can be obtained from the court officers. I think that contention is right. I do not think the public reads them. Sometimes they are unsightly, and I imagine that they would cost quite a bit.

Hon. Sir Charles Latham: Not nearly as much as the time of the clerk of courts that is wasted.

Hon. J. M. A. Cunningham: Can I refer you back to page 6 where it reads, "The clerk of courts cannot imprison—"

The PRESIDENT: Order, please! The hon. member can raise that point during his second reading speech.

Hon. E. M. HEENAN: Under a judgment summons, when a man is ordered to pay so much a week a default is usually fixed. He is ordered to pay, say, 10s. a week; or, in default, three days' imprisonment. It is proposed to extend that jurisdiction to a clerk of courts. Therefore, a clerk of courts in the future will be able to make an order and fix defaults; but whatever order he makes shall be suspended until it is reviewed by the magistrate, who may confirm, vary or set it aside. I move—

That the Bill be now read a second time.

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

**BILLS (4)—FIRST READING.**

- 1, Legal Practitioners Act Amendment (No. 1).
  - 2, Rents and Tenancies Emergency Provisions Act Continuance.
  - 3, Bills of Sale Act Amendment.
  - 4, Occupational Therapists.
- Received from the Assembly.

**BILL—AGENT GENERAL ACT AMENDMENT.***Second Reading.*

Debate resumed from the 1st August.

**HON. A. F. GRIFFITH** (Suburban) [5.9]: Judging by the amount of printing and the number of pages which make up this Bill, it would appear that it is not very important. It contains two clauses: short title and citation, and the amendment to Section 3 of the Agent General Act. Because the Bill is so small, I was prompted to look at the principal Act, and the investigation I made has brought forth some interesting information.

For example, I was more than a little surprised when I realised that this legislation was first placed on the statute book as far back as 1895. In that year the Bill contained seven clauses. It restricted itself to providing that the Governor could appoint any person to be Agent General; it did not set out a list of the duties of the Agent General in London. It stated what his salary should be, and what his term of appointment should be. The Government could appoint him for three years and reappoint him after that period. There were also one or two minor matters covered in the original Act.

One of the items which drew my attention, and to which I want to draw the attention of the House, was that when the Bill was assented to on the 28th August, 1895, the salary provided for the Agent General was £1,500 per annum. Against that, it is interesting to compare what a member of Parliament in this State was receiving five years later, in 1900; namely, £200 per annum. I do not know the amount of tax that was paid on that salary; but the Agent General, in 1907, when taxation was first introduced, paid at the rate of 2d. in the £, and he was liable for the large sum of £12 10s. per annum for tax.

So in those days the position of the Agent General for Western Australia in London was one which the Government of the day considered to be quite important; and, comparing the £200 per annum paid to a member of Parliament in 1900, it was considered fit to grant to the Agent General for Western Australia a salary which amounted to nearly eight times that amount; namely, £1,500 per annum.

**Hon. G. E. Jeffery:** That was before federation.

**Hon. A. F. GRIFFITH:** I know all about federation.

**Hon. G. E. Jeffery:** But there was no Australia House at that time.

**Hon. A. F. GRIFFITH:** But there was an Agent General. That state of affairs prevailed until 1947, when an amendment to the Act was made to give the Agent General an increase of £200. For a period of over 50 years—I think federation was brought about after the first date I mentioned—the salary of the Agent General in London was £1,500 per annum. In 1954 a further increase was granted, making the Agent General's salary £2,098; and, on the 1st December, 1955, it was again increased—to £2,150. All this Bill seeks to do is to increase the salary of the Agent General from the last figure mentioned to £3,000.

When introducing the Bill, the Minister said, "The Bill proposes to increase the salary from £2,150 to £3,000 sterling. In addition, it is intended to increase the entertainment allowance from £1,250 to £2,000." When I listened to that statement, I thought to myself, "That is strange; the allowance is not usually included in the Bill;" and although the Minister's speech led me to believe that perhaps there was something in this Bill concerning the allowance of the Agent General, in actual fact no reference is made to it. That statement was made merely to inform members what the entertainment allowance for the Agent General was to be.

It is very interesting to review the principal Act. I have raised this point before in connection with various Bills that we have dealt with in this House. It refers to the fact that the Agent General's salary is to be paid out of the Consolidated Revenue Fund of the colony. The continual use of this word "colony" is becoming a little trying. Surely to goodness we know that the Commonwealth of Australia Constitution Act made Western Australia a State; and when the Minister is amending an Act of Parliament, and particularly a very old one, he could see that this alteration was made. The Minister should give some consideration to this Act and have its very archaic principles brought up to date. It would be even a more interesting Bill if there were a couple of additional clauses to put this sort of thing right. However, we still refer to Western Australia as a colony, yet we know that for many years it has not been one.

If the Government ever had an opportunity to do something with a very old Act, it was when this Bill came along. After a space of some 60 odd years, it seems strange to me that whilst the Government is prepared to increase the salary of the Agent General to something more in keeping with modern times, it is not prepared to recognise the importance of such an appointment overseas. Had it

been prepared to do so, and had it been more on the ball, this would have been an excellent opportunity for it to repeal the old archaic Act and bring to Parliament a Bill more in keeping with modern trends and interest. We could then send a man to London with some direction and knowledge of what his duties should be.

Hon. H. K. Watson: Those words "modern trends" have a familiar ring.

Hon. A. F. GRIFFITH: I consider that this is just a measly little Bill which, I repeat, could have been a better one. All it does is give power to appoint the man concerned and, as I said, pay his salary. The Act says that the Agent General shall do and perform all acts, matters and things in relation to Western Australia under the instructions of the Minister. I do not think that is enough. Surely in these circumstances we could have had a comprehensive Bill. The Minister for Railways smiles over this. However, it is not a caustic criticism but rather of a kindly nature.

The Minister for Railways: Without any suggestions.

Hon. A. F. GRIFFITH: Do not be impetuous; I will provide them if I am given an opportunity.

The Minister for Railways: If you can.

Hon. A. F. GRIFFITH: I think the Bill should have laid down the duties of the Agent General. It should have expressed the Government's desires in regard to important things. Perhaps it has expressed the Government's desires, which do not amount to very much. This Bill does not show the imagination which it could have shown. It is necessary, at a time like this, to think on much broader terms than just how much increase in salary the Agent General will receive. The Bill could have set out the duties of the Agent General in some manner in order that he would know more definitely his responsibilities by way of legislation.

If we look at the Acts of some of the other States, particularly New South Wales, we find that these duties are defined and the Agent General knows what he has to do. In one of the Acts the Agent General has to put in a report every three months to his Government, but there is no suggestion in this legislation that any reports of any kind must be made. I suppose they might be made, but unfortunately they are not.

The Minister for Railways: How do you know they are not?

Hon. A. F. GRIFFITH: I do not know that they are not made. However, they do not have to be made under the legislation as it now exists. I think the Bill could have been worded along these lines: His No. 1 qualification could have been a sound knowledge of our primary products,

because ours is a primary producing country and we rely largely on exports for our future. I think it could have mentioned the promotion and sale of secondary industry goods produced in Western Australia, and the encouragement of the establishment of new secondary industries in this State. However, because of Government policy, the encouragement of secondary industry in Western Australia is not an easy matter now. People with a large amount of capital to invest are wary about investing their money in this State because of some of the legislation on the statute book.

Hon. R. F. Hutchison: Who told you that one?

Hon. W. R. Hall: They invest in foreign countries.

Hon. A. F. GRIFFITH: I do not think Mrs. Hutchison would know anything about this.

Hon. R. F. Hutchison: How do you know?

Hon. A. F. GRIFFITH: I think one of the most necessary things that an Agent General must do is foster trade with the United Kingdom. He should be responsible to a degree for the promotion of immigration to Western Australia. He should encourage tourists to this State to the very best of his ability; he should, in a few words, sell Western Australia. There is no reason why this Bill should not have been rewritten and some of these things placed in it in order to give the Agent General some idea of his responsibilities in a statutory manner.

We know that England is, at the present time—and always has been—the hub of the universe; there is no question about that. London is the centre of most of the important things that happen; and England has been a centre of liberal thought for centuries, and still is. London, in my opinion, is the centre of economic progress, and is also the centre of world affairs. It is probably the most important centre in the world.

I hear some ill-informed people say that England is a dying little island and is not what it used to be. I venture to suggest that England has always been foremost in everything that matters, and that is where I think she will stay. It is not only London that counts; it is the close proximity of the country to the other nations of the world, which one can reach easily in these days of modern transport. For that reason, I think the Agent General's office in London should be the show window of Western Australia.

This Bill could well have made provision for the appointment of a specialised businessman to the position. Whilst the Government, no doubt, will seek the best possible man available for the job—it is a very arduous job and one which takes toll of the person's health because of the

climate—I think it is a job for a younger man. I say this in all respect to the other gentlemen who have held the position.

I appreciate that it is difficult to put an old head on young shoulders, and it is a pity that young men have not had the same experience as older men. However, in seeking an Agent General, we must look for a good administrator and co-ordinator—a man who can administer and co-ordinate the affairs of our State in London.

Hon. W. R. Hall: Having regard to the goldmining industry as well.

Hon. A. F. GRIFFITH: Yes, and any other industry in which this State is interested.

Hon. H. K. Watson: Don't you think he would need to be a silver-tongued orator to explain away the Unfair Trading and Profit Control Act?

Hon. W. R. Hall: They have a good Act of their own.

Hon. A. F. GRIFFITH: I did not want to create the impression in speaking to this Bill that I was fortunate enough to have a trip away. I, and some other members of this House, have had that good fortune, and the interjection is interesting because I was asked in England about the Unfair Trading and Profit Control Act which is on the statute book of this State.

Hon. R. F. Hutchison: What did you tell them?

The Minister for Railways: No doubt you supported it.

Hon. A. F. GRIFFITH: I was able to say that the Government, with its policy, decided to place this legislation on the statute book and, to my mind, it was having a bad effect on Western Australia. I also said it was not attracting the capital to Western Australia which this State needs.

The Minister for Railways: Not dishonest capital.

Hon. E. M. Heenan: The Americans do not consider it a bar to their investing money at Esperance.

Hon. A. F. GRIFFITH: It would be of interest to me, and probably other members as well, if Mr. Heenan could say how much capital has been invested at Esperance.

Hon. F. D. Willmott: Very interesting.

The PRESIDENT: We are talking about the Agent General, not about the land at Esperance.

Hon. A. F. GRIFFITH: Whilst I agree with you, Sir, I think it is pertinent to the discussion, because the Agent General for Western Australia will be asked how the project is going at Esperance; and it, therefore, comes within the scope of this Bill to make some comment on the matter.

Before I digressed, I was endeavouring to develop the theme that the Government could be a little broader in its views on this subject. When one goes away, one sees big companies overseas spending huge sums of money—probably more in one week than the Western Australian Government spends in a year—on promotion of the sales of their products. Surely, in the capacity of advertising a State or a country, we can liken ourselves in some form to a big company. In this case we are endeavouring to advertise Western Australia; to tell the people of the world what sort of a country we have; to encourage them to come here to settle; and to bring their capital with them in order to invest it here. It is not beyond the scope of imagination to think that the Western Australian Government should say to some highly qualified professional or commercial man, "We want you to go to Great Britain and other countries overseas to do a specialised job of telling the people what we have to offer and what we have to sell."

The job of the Agent General is not to carry out this task but to demonstrate and co-ordinate the activities of the man sent there for that purpose. The Government cannot possibly expect to find a man in Western Australia who is capable and knowledgeable on all these matters. So I repeat that if we have a good administrator and organiser it would be as well to have scope in the Bill to allow the Government to send him away in connection with the promotion of the welfare of the State.

I think the next few years in this country are going to be important to us. If we are to gain our place in world markets, the activities of our agents overseas will be important also. For these reasons I think imagination could have been used and something of the nature I have proposed put into the Bill.

It is not as if the Government has had to bring down the Bill in a hurry. Hon. James Dimmitt died, I think, in January, 1957—about seven months ago. The Government, therefore, has had any amount of time to give full consideration to the matter and, I repeat, bring down a Bill showing a little imagination. Instead, we have this tiny measure to increase the salary.

The Minister for Railways: What is your imagination as to what should be in it?

Hon. A. F. GRIFFITH: The Minister apparently has not been listening.

The Minister for Railways: You have not yet suggested one thing of substance.

Hon. A. F. GRIFFITH: I am sorry if the Minister has been listening but without understanding. I thought I had been putting something of a concrete nature in his mind.



The Minister for Railways: You thought so?

Hon. A. F. GRIFFITH: If what I have said has fallen on deaf ears, I am sorry, but perhaps other members have appreciated my efforts.

The Minister for Railways: Just run over them again in case we have missed them.

Hon. A. F. GRIFFITH: I am sorry but I cannot hear the Minister. I think, too, that the recognition Mr. Dimmitt got for the services he performed—it was a shock to me when he died so suddenly—for the State both as a member of this House and as Agent General in London was very poor. I read "The West Australian" in London at the time, and it just had a very small paragraph to the effect—"Dimmitt Dies in London." I saw no comment on the matter from the Premier. There may have been one; but if so, I did not see it. Certainly not very much was said about the job he did on our behalf whilst in London. I found that his work there was very creditable. He was liked by everyone with whom he came in contact, and he was considered by those people as a conscientious Agent General. I am sure his death was a loss to Western Australia.

The functions of the Agent General's office come into social and business categories. On the social side, I am pleased to say that Western Australians, although they did whilst I was in London visit Australia House for obvious reasons, seemed to think the place to which they were more entitled to come was Savoy House; and that was the centre where I, anyway, received a great deal of help, both socially and from a business point of view.

The other night Mr. Lavery mentioned a particular officer at Savoy House. He thought the Government could well spend a few pounds in order to bring him out here to look at Western Australia. I endorse the hon. member's remarks. I talked with this man quite a lot. He has been employed in the office in London for many years, but he has never been to Western Australia. However, his knowledge of the State is surprising. He has gained this knowledge from reading and talking to visitors.

Hon. F. J. S. Wise: He can even describe the country around Bridgetown.

Hon. A. F. GRIFFITH: Not only that, but he can also describe some of the hon. member's country.

Hon. G. Bennetts: Did he have anything to say about Esperance?

Hon. A. F. GRIFFITH: He said he thought there was a harbour at Albany.

Hon. E. M. Heenan: Does he want to come out here?

Hon. A. F. GRIFFITH: It is not competent for me to answer that question.

The Minister for Railways: What else could he learn? You say he knows the lot.

Hon. A. F. GRIFFITH: He knows a lot, now.

The Minister for Railways: I thought you said he knew the lot.

Hon. A. F. GRIFFITH: The Minister is getting a bit hard of hearing, or perhaps I do not articulate clearly. I did not say he knew the lot. There is no man alive who knows the lot. I said that this officer does a great deal towards helping us; and I commended Mr. Lavery for his suggestion that this man—maybe there are others on the small staff that we have in London—could be given the opportunity of seeing the country he represents. That is the point I made.

The other side of the picture is the business side, where, I am told, the Agent General has a very busy life. He is obliged to go to a great many social functions, here, there and everywhere, to represent Western Australia. If he is a conscientious man, as the last Agent General was and many others before him, he has not much spare time for himself. He is an extremely busy man.

I do not know how the Agents General of the past have existed in London on the salary they received. Rents are very high and so is the cost of living. All told, on their salary, they must have had a hard job to manage. I venture to suggest that perhaps they did not manage on the salary but were digging into their personal pockets. The question of a house for the Agent General, or the provision of accommodation, is not easy for him. If he lives in London the rents are high. On the allowance of £1,250, it must have been extremely hard for him to manage.

It is envisaged—not by the Bill but by the statement of the Minister—that his allowance will be raised to £2,000 a year. Even so, I think it could easily be bigger, because the amount of tax he will have to pay is fairly considerable. If he is a married man with a wife and no other dependants, out of his £3,000 he will pay tax in Australia amounting to £675, and the Government will pay the difference for him on the £3,000 sterling, which means that the Government will pay tax of £750 whilst the Agent General will pay tax on £3,000; and this, as I have said, amounts to £675 a year.

On the basis of salary alone, when the Agent General was in receipt of £2,150 a year, if he was a married man with a wife and no other dependants, his tax was £350 which gave him £1,800 net. Therefore, so far as the salary goes, he has a net increase of approximately £525; then at the other end there is the sterling benefit of 25 per cent. on the amount of salary. In

all, he does not show a great deal of profit. I do not propose to say any more concerning the matter. I hope I have been able to express my views.

The Government could well make the Agent General some rent allowance. He should be a man of the type I have envisaged—a man with drive, enterprise and a good knowledge of the State. After all, in his hands lies a very important task—and always has done—and more particularly will his task be important in the next few years because, as a result of the economic trends throughout the world, the Agent General must do his best to keep Western Australia on the economic map.

Press publicity was given to the fact that the Government thought of increasing the period of appointment from three years to five years; and there has been some talk about it. Personally I do not think it matters whether the term is three years or five years because the custom has been that where an Agent General has given satisfactory service, the Government, no matter of what political colour, has given him another term. Mr. Dimmitt was given another term; and Mr. Kitson was given another term by a Government of a different political colour. So where the Agent General is satisfactory, he gets a further term. The Act as it stands gives the Government the right to suspend or remove him from office at any time.

The important things are that we get the right man; that the Government is prepared to spend money in London on projects that will be of value to Western Australia; and that the Government should not be frightened to throw out a sprat to catch a mackerel. I say this, because surely we all know that whilst we in this country exist on primary produce as our principal means of livelihood, the encouragement of secondary industry and of capital to Western Australia is something that is becoming more essential to us as every day goes by; and the Agent General is in a position to help us in regard to this badly-needed want.

I support the second reading of the Bill. But I regret its shortcomings and I regret that the salary increase and the expenses are, in my opinion, insufficient.

**HON. G. BENNETTS** (South-East) [5.45]: I agree with many of the remarks made by Mr. Griffith; but I think the Bill itself is quite all right although, as the hon. member said, the salary increase could have been larger. In my opinion the right man to represent this State in England is one who has great business and administrative ability. He must be outstanding, and he must have a wide knowledge of the State as a whole, particularly as regards the agricultural and mining industries. Will the salary be big enough to enable us to get such a man?

The hon. member also mentioned the term of office. That, too, might be a factor to be considered when we are looking for the person we want for this job. If we found such a man, would he be prepared to leave his present employment in order to go to England for only three years, and take the chance of being re-appointed for a further term? If we were able to get the right man, there is no doubt that he would receive a further term of appointment.

On the other hand if we grant a long period of appointment in the first instance, we might strike trouble and things might not pan out as we envisage. Look what happened in regard to the railway commissioners whose appointment was to be for life! Those who are appointed for a long term are liable to let things drift and say, "I am not worrying much about that, because I am here for a long time."

I think the increase in salary could have been a little bigger; and as regards the type of person mentioned by Mr. Griffith, I consider that when the Government calls for applications for appointment, all the details will be set out. Also, when the Government does select a man for this position, I suggest that he should be no younger than 50 years of age. Anyone younger than that has not the experience necessary for such a job. The man we want should have travelled the length and breadth of this State, and should know everything about it and be able to talk on everything connected with it. But I think a person of 55 or 60 is a little too old and is inclined to be a little behind the times. That is why I suggest a person about 50 years of age.

During his remarks, Mr. Lavery mentioned the desirability of bringing one of the staff out from England. In my opinion that is a good idea, because a person on the staff in England, if he is not a Western Australian, wants to know what he is talking about, and should have a practical knowledge of the place. He should see it for himself. The same thing applies to members here. If they visit their constituencies regularly, and take the opportunity to visit all other parts of the State, they can come to this House and discuss matters, well knowing that they have first-hand information. Unless they do that, they are speaking on subjects with only second-hand information, and therefore they cannot be on the ball.

That is why I say that this person in England should be brought out here so that he can look around and see things for himself. Such a man, in conjunction with the Agent General, would be able to do a lot of good for the State. Many of the people in the other States know nothing about Western Australia. I was in Adelaide about three years ago, and I went to the Tourist Bureau there to get some information. I was not able to find out anything about this State.

Hon. F. R. H. Lavery: Only about six copies of "The West Australian" go to Adelaide daily.

Hon. G. BENNETTS: This is a young State, and we have everything in front of us. We have beautiful land waiting to be taken up; the North-West is rich with minerals; and yet we are lagging behind because no one can sell our attractions to foreign countries. In my opinion England should have taken up the land at Esperance; and people in that district have said to me on many occasions, "Why did you allow the Americans to take up the land at Esperance?" I think Britain had plenty of time to take up this land.

Hon. J. M. A. Cunningham: They had it.

Hon. G. BENNETTS: Why did not English people invest their money in land at Esperance? The Americans have invested their money, and good luck to them. They are carrying out their plans and are putting the land into production. Had it not been for some of the countries that have taken up land and built industries in this State, where would Western Australia be? We have to sell this State and see that money is sent here to have it developed. We have to put it on the market.

I hope that the Government will comply with the requests made by Mr. Griffith and me regarding the type of person to be appointed as Agent General. We should get the best possible person for our money, even if we have to call for applications through the Press. If we cannot get the type of person we want for the salary that is provided, let us introduce further legislation to increase the salary beyond what is provided in this Bill. We must be sure of getting the right type of person to represent this State as the Agent General in London. I support the measure.

HON. C. H. SIMPSON (Midland) [5.51]: I am sure we are all very grateful to Mr. Griffith for the amount of research he has done in regard to the responsibilities of, and the nature of the work involved in this particular appointment. He also gave us some interesting details regarding the emolument attached to the office and some of the allowances associated with the position.

We in this House have reason to be interested in this appointment, because the last two appointees were well-known and responsible members of this Chamber at the time of their appointment. Both had their terms renewed; and, as it happened, on each occasion it was by a Government of a colour different from that which they espoused. Both rendered excellent service; and each in turn, I am sorry to say, became the victim of the responsibilities and arduous nature of the work he was called upon to perform—each died in harness.

It is rather surprising to note the number of Agents General who were members of this Chamber at the time of their appointment. I have not the full list; but quoting from memory the first that occurs to me was Sir Hal Colebatch, who held the office for a number of years. Before him there is Sir James Connelly, and more recently there were two appointees from another place in Mr. Angwin and Mr. Troy.

With the exception of Mr. Dimmitt, all of these Agents General whose names I have mentioned were ex-Ministers; they were transferred from their ministerial job to that of Agent General. Despite the remarks that have been published in the Press, and those that have been made from time to time as regards widening the field of choice to include capable men who have not had ministerial experience, I am firmly convinced that an ex-Minister should fill the post. Even if it does narrow the choice, it could be regarded as narrowing it down to a very selective body of men.

In its wisdom, the Government does not select the worst member of Cabinet; occasionally in the past in some cases the appointee has been the ex-leader of Cabinet. A Minister is a man well qualified on general grounds, and his knowledge of the State is very wide. I doubt whether anyone can gain as much knowledge of the State as one who fills a ministerial post. In addition, he has all the inside knowledge of the workings of Cabinet; he has an idea of finance which any person outside would find difficult to appreciate.

I have heard it said that a businessman should be appointed to the position so that business contacts can be made. Business contacts are not everything; and a businessman who might be quite competent in his own sphere, might find himself under a severe handicap if he were called upon to perform the manifold and arduous duties associated with the office of Agent General. Having that in mind, I suggest that if it is preferable to have an ex-Minister appointed to this post, then his salary should be in keeping with his qualifications and responsibilities. I hold the view that he should receive the same salary and allowances as he would receive if he still retained a ministerial portfolio in this State.

Hon. A. F. Griffith: He needs more than that.

Hon. C. H. SIMPSON: He would need more than that for an entertainment allowance; but at the same time I think that when it came to filling the post rendered vacant by the death of the Hon. J. A. Dimmitt, there was probably some difficulty in securing the right man because of the paucity of the allowances and salary attached to the post. But if the person so appointed could receive the same salary as a Minister with a portfolio, I do not think

it would be difficult to get Ministers interested in the appointment—they would probably be willing to take it.

It would be by no means creating a precedent, because I remember when the Rt. Hon. Lord Bruce went to London as Resident Minister. In those days Federal ministerial salaries were not nearly as high as the allowance and salary attached to the post of High Commissioner. Although Lord Bruce had greater powers in his post as Resident Minister, he was restricted to the ministerial salary. However, finally he was appointed as High Commissioner for Australia in England. Another Cabinet Minister who was given the post of Resident Minister in London was Sir Eric Harrison; and I think, a Premier named Mr. Butler, from South Australia, gave up his job as Premier and went to London as Agent General for his State. I mention these things because they give members some idea of the value attached to the job, and the salaries which—in some cases at least—were comparable with those received by Premiers of different States.

Another point which is of definite value is the social side of the work in England. This is not confined to meeting visitors to London, who often require help; but it means meeting people, particularly in business and in high positions, and there is no doubt that a knighthood held by the appointee is a very definite advantage in England. I would like to say that while it might be of no particular advantage in Australia it would be a great thing in England to have a title—even if it were only an "honourable." A knighthood would, of course, be a very definite advantage; and I think it is something the Government might well consider if it feels that its Agent General has given good and faithful service.

The Agent General is called upon to do a good deal of entertaining. This is very necessary because he receives so much hospitality as a representative of his particular State. It is not a good thing for him to be constantly receiving hospitality without returning it, and returning it on a scale comparable to that extended to him.

As both Mr. Griffith and Mr. Bennetts have said, he must be a man who is able to talk about almost any phase of industry and activity in the State he represents. He must not only be familiar with the political aspects and ties between, say, Western Australia and England in relation to imports, exports and things like that; but he must also be able to give people advice, and impart knowledge concerning the possibilities of investment.

The Agent General should be able to talk about mining, forestry, agriculture and the potential of the State in regard to migration. He plays a very active part in the bringing of migrants to this State. I can remember when, some few years after the conditions imposed by the war had eased,

Mr. Troy had to fly to North Africa in connection with some investigation he had to make. It was not so much a question of bringing migrants from that area but of surveying the schemes that had been put into operation by Mussolini before his fall. Mr. Troy's job was to survey a portion of those schemes in Italy with a view to making tentative arrangements in relation to the possible intake of migrants from Italy. This, of course, matured in later years, but it was all part and parcel of the job.

If these responsibilities were fully appreciated, I do not think there would be any question as to the amount that should be made available to the Agent General to help him represent this State adequately. I also feel that more money should be allocated to the Agent General's office in London. I am told by those in a position to know that Western Australia's advertising in London is very poor compared with that of some of the other States and dominions.

Hon. F. R. H. Lavery: A few months ago they did not know that Fremantle had a harbour.

Hon. C. H. SIMPSON: If we are to sell Western Australia, and call upon our representative in London to carry on the job properly, he must be given the wherewithal to help him in that direction. During the shortages caused by the war, I can well remember that Mr. Kitson was asked to do his utmost to secure supplies that were so urgently needed to enable us to proceed with our developmental programme. We had the money but we could not get the materials. For instance, we were very short of iron and it was necessary for Mr. Kitson to make one trip to Belgium and another to France for this purpose. All these problems come within the scope of the Agent General. It is his job to help the State, and do the best he can. In Mr. Kitson's case, he did a very good job.

It seems to me, however, that over the years the job has depreciated to some extent. I do not for one moment say it has depreciated in value or importance, but rather in the amount of recognition that is extended to it. It would appear that the office of the Agent General is more or less an appendage of the Premier's Department. I can well remember when Mr. Kitson came out here how horrified I was to see him doing his clerical work sitting at one end of the receptionist's desk at the Premier's office. No accommodation was available to him, and he had to scratch around and try to find some where he could.

The importance of the job, and of the individual occupying the post, should receive adequate recognition. This measure is a step in the right direction, but I wonder whether it goes far enough. Mr. Griffith has had the advantage of having

visited London recently and obtained a first-hand knowledge of the set-up there. I think that what he has told the House bears out fully what I am trying to say; namely, that in our days the existing office did a wonderfully good job. I think the hon. member indicated, however, that it could do a still better job if the Government were prepared to give it more money, and encouragement, to represent this State as it should be represented.

**HON. L. A. LOGAN** (Midland) [6.7]: If one could find fault with this Bill it would probably be with reference to the amount fixed as the salary and allowance for the Agent General. Mr. Griffith said he would like more amendments to the Bill; and, in particular, he would like a list setting out the Agent General's duties. I do not quite agree that that would be feasible.

For a start, one could not put down under the heading the thousand and one fundamental duties that the Agent General is called upon to perform. If we endeavoured to print his multifarious duties, the task would occupy a good many pages. Besides, I think it would be undesirable to print in black and white just what these duties should be. Surely we have had sufficient practical experience of what is required of an Agent General, and surely he should be aware of the standard that he is expected to maintain! It would be impossible to enumerate these duties and put them in black and white. The Agent General represents Western Australia in all phases of her activities.

**Hon. A. F. Griffith:** You do not have to put it in black and white; it is merely to give the man an incentive and a sense of importance.

**Hon. L. A. LOGAN:** Surely a man who is appointed to the post of Agent General knows what is required of him without his duties being set out in black and white.

**Hon. A. F. Griffith:** Why did they write them into the New South Wales Act?

**Hon. L. A. LOGAN:** That is no reason why we should write them in here. If any criticism could be made against the Government, it is in regard to the delay that has taken place in reappointing an Agent General.

**Hon. A. F. Griffith:** Hear, hear!

**Hon. L. A. LOGAN:** Seven months is quite a long time for any office to be without its head. If the position of Agent General is so important to Western Australia—as we all believe it is—then the Government is very remiss in not having filled that position earlier. It is possible that the Government has endeavoured to find a suitable man for the job, but because of the paucity of the salary and allowances it has not been successful.

With Mr. Simpson I agree that it may not be in the best interests of Western Australia to get away from the practice of appointing a member of Parliament as Agent General. It is possible that nobody in Western Australia would have a better knowledge of the State than would a member of Parliament, particularly after he has been in Parliament for 10 or 12 years. If he has done his job well, he should be in a position to talk on any subject. If he has studied his Acts, and the Bills that have been introduced, and travelled as he should have, then I would say that there would be nobody with a greater knowledge of Western Australia than a member of Parliament. It is possible that one is not available. I would not say that there are no members of Parliament capable of doing the job; but whether they are willing to accept is an entirely different matter. I would ask the Government to give very serious consideration to this matter before deciding to fill the vacancy with somebody other than a member of Parliament.

Had we not been given other information we would deduce from the Bill before us that the Agent General would receive an increase of only £750. It would seem that the amount is £850; but by the time he has paid taxation, and after making allowances for exchange, he would get only £750 more than he is receiving today. His allowances would increase from £1,250 to £2,000, which would make a total expenditure on the Agent General of £5,000 sterling.

We should ask ourselves: What has the Agent General been worth to Western Australia in the past; what is the position worth at present; and what is it likely to be worth to Western Australia in the future? If the Agent General has been worth quite a lot to Western Australia in the past, and still is, and will be so in the future, then I think we should make it a little more worth while for him.

I have not been fortunate enough to have the same experience as Mr. Griffith, but I would say that £2,000 for expenses would be far from sufficient. From one's own reasoning, and from the reports that have been made by successive Agents General themselves, it is apparent that an allowance of £2,000 is a pittance.

**Hon. G. Bennetts:** It would not be possible for him to attend half the functions to which he is invited.

**Hon. L. A. LOGAN:** Whether these payments are to be included in extra allowances or in his salary does not make any difference to me, but I do think that £5,000 is not enough. We find that appointments have been made to this position from members of Parliament who have reached the latter part of their lives. I think it is a mistake to send a man of 60 years of age and expect him to combat

the rigours of the English climate. We all know that that factor has taken considerable toll of our Agents General in the past. If this appointment were made from members who were in their 50's I think they would be young enough to adapt themselves to the climate generally and we would get a much better service from them.

That brings us to the appointing of a man of, say, 52 or 53 years of age on a three-year contract. He would have to cut himself off from all his interests and activities in Western Australia; and if after three years the Government did not see fit to reappoint him, he would return to this State at the age of 55 or 56 an unemployed man.

Hon. A. F. Griffith: Five years would not give him much more security.

Hon. L. A. LOGAN: That is so. I think we are all aware how difficult it is for a man in his 50's to find employment in this State.

Hon. Sir Charles Latham: Some of them could go into the House of Commons; they have done so in the past.

Hon. L. A. LOGAN: There would be very few who would do that, and that is a further reason why the salary and allowances should be much higher.

*Sitting suspended from 6.15 to 7.30 p.m.*

Hon. L. A. LOGAN: Before tea I suggested an increase in the salary and allowance of the Agent General. After the expiration of his term, he would then be able to return to Western Australia with sufficient capital to enable him to go into a business of his own, or at least to live until such time as he was able to find suitable employment. That was one of the reasons why I suggested the increases.

The only other observation I wish to make relates to the housing accommodation of the Agent General. If the Government sees fit to procure a suitable house and furnish it appropriately, I believe that the present salary and allowance will be sufficient. At the moment, whoever is appointed Agent General will have to find accommodation for himself. In my opinion it is the duty of the Government to make sure that living accommodation is available at all times for the occupant of this position. Although this House cannot make amendments to the Bill before us, we should request another place to make provision, when the Bill is returned there, for the Government to procure a suitable house for the Agent General; or, alternatively, to pay a greater allowance. With those reservations I support the Bill.

HON. G. C. MacKINNON (South-West) [7.32]: Some endeavour has been made this evening to define, and to list the duties of the position of Agent General.

It seemed to me, in listening to the debate, as though some members think that a time-table is applied to the duties so that at 8 a.m. one duty is carried out, and at 9 a.m. something else is done. By the very nature of the name of the office, it is apparent that the duties of the Agent General defy definition.

Some attempt has been made to assess the value of the post. Again it would be extremely difficult to assess the value of any particular person holding this position, because sometimes his value might not become evident until years after his term of office had expired. It would be reasonable to assume that the Agent General would require a general knowledge of the political, as well as the commercial and economic life of this State. I disagree with the contention that he should have detailed physical knowledge of the State, because he could be supplied with that information if and when required.

It is equally difficult when one tries to assess what a particular Agent General is worth. A person might be appointed to this position and be paid £20,000; but at the expiration of his term he could be in debt. Yet another person could live quite comfortably, for argument's sake, on £5,000 a year. It is difficult to assess what should be paid to the Agent General. The best we can do is to ensure that with reasonable management the person appointed will not suffer too great a financial loss, or face financial embarrassment.

It is also reasonable to take into account what, for want of a better term, I shall call the glory of the occupation. The French have a word for this, although I do not know the correct pronunciation. It is "La Gloire." A position of this nature has such glory, glamour and appeal. Many capable men would be honoured to accept such posts, and they have done so in the past. I know that this type of person is still around. I pray that he will always be about.

Although the Government could be a little more generous than is contemplated in the measure, I consider that a reasonable attempt has been made to meet those demands; that is, to supply a reasonable emolument so that the person appointed will not have to dig too deeply into his pocket. The position of Agent General should not be limited to persons who can supply from their private means £1,000 or £2,000 a year. It might transpire that some slight increase on the present figures could be agreed upon.

I consider that it is beyond the power of anyone to define the duties of this position. One person might be very strong on the social side and might make some excellent contacts as a result of that; but he might not be so good on the commercial side. Yet another person in this position might not be so good on the

social side, but very good on the commercial side. These factors will balance out over a time. We must not lose sight of the fact that the duties of the Agent General are of a general nature, difficult to define and difficult to assess in value. I support the second reading.

**HON. L. C. DIVER** (Central) [7.38]: I have not a great deal to say on this Bill. Some of what I want to say was inspired during the tea interval by the person who introduced the measure in this House. I noticed in the Press a few days ago a reference to the effect that "There is another soft cop going in London for the Agent General." This only goes to show how the person in the street is ignorant of the difficulties associated with such "soft cops" which outsiders consider exist. This is again the story of the distant field looking greenest.

Firstly, I would like to touch on the remuneration to be paid to the Agent General. Great Britain is in a difficult economic position in that one finds the purchasing value of the £ this month is not as great as in the previous month. Consequently some discretion should be left to the Treasurer of this State, when officers report that the monetary position in Great Britain has deteriorated, say, over the previous 12 months, to make adjustments to the salary and allowance so that the Agent General will not have to meet any loss out of his own pocket.

The suggestion I now make is that this Government supply the products of Western Australia to the Agent General in London for his household use, so as to enable him to have available at all times a stock of Western Australian wines; and whoever he entertains could sample the wines. Sufficient supplies of Western Australian lamb, chilled beef, pork, hams, bacon, eggs, fruit products, tinned fruits, sauces, and so on should be made available so that he could have the opportunity of advertising the wares of the State. I think this suggestion has great merit. It would be advantageous to place it before the appropriate authority. I trust that some cognisance will be taken of it, and that it will bear fruit. I support the second reading.

**HON. F. J. S. WISE** (North) [7.41]: I support the Bill, which really has in one clause all the ingredients required. I refer to Clause 2, which contains all the ingredients necessary in the authority of the Government to provide for justice in salary for the Agent General. As the matter stands at present the post of Agent General in London is a very important link with the Government of the State at all times. It is even more than that. The position gives emphasis to what fortunately remains of the sovereign rights of the State. It is a very important step taken by all the States of the Commonwealth to appoint

Agents General in London. It might well be that in other parts of the world, State representation, as well as Commonwealth, could have the consideration of the Government.

Any officer who has been privileged to visit the United Kingdom, U.S.A. or Canada will know full well the respect and attention which accrues to different countries by virtue of having representation in a foreign country. So it has been in our case as far as Savoy House is concerned. I have had the privilege twice in the last nine years to visit the United Kingdom and other parts of the world. I have been privileged to see two Agents General in office. I think that Western Australia has indeed been fortunate in the succession of men who have been selected for this post—men of undoubted ability, men of unimpeachable character, and men who have possessed the complete trust of both sides of Parliament at the time of their appointment. That is a very important factor in this matter.

The term of office is three years; and although because of the trust reposing in the Agent General appointed by any Government, it has been invariably the rule that the term has been extended, we can only consider the appointment as being for three years. For that reason, the field becomes restricted in so far as Agents General-elect are concerned.

It has been said publicly and in the Press that a businessman might be the best type of person to represent this State as Agent General. It has also been said that a senior public servant might appropriately fill that office. But my view is that, unless a person has, at the time of his appointment, some direct link with the public life of the State, as a representative in Parliament—or, better still, in the Government—he has not the opportunity really of assessing the full needs of the office.

Without any qualification at all, I would say that if a Cabinet Minister of any Government felt that he could make the sacrifice—and it is a sacrifice—of accepting the post of Agent General, he would be the right person to select. Such a person would not only know the current problems of government, but he would also have the complete confidence of all his colleagues and, without doubt, the complete confidence of the majority of the public; and, with his knowledge of the State and of governmental procedure, he would be a very worthy selection for such a post.

For my part, I do not support the idea that a senior public servant could fill the bill, because, when he represented this State abroad, he would still be regarded by the measure of his own personal background as well as his own achievement. He would be regarded in the sphere in which he moved as a public servant and not as one with a connection with the Government.

With regard to the question which has been raised concerning salary, the value of the salary is quite substantial; but the value of the office and whether a man could afford to occupy it depend entirely upon the expenses allowed to him, which are non-taxable—expenses for entertaining and travelling. If they were equitable, a very high salary would not be so necessary, and I think the Government has made a reasonable approach to that part of the problem. It has been the opportunity of other Governments to make such an amendment to the Act in the past; and although we do not know what will be the expenses allowed, provided they are equitable and fair I can find no fault with the provision of the salary proposed, so long as it is £3,000 (English) per annum.

Hon. A. F. Griffith: The Minister said the expenses would be £2,000. He said that in his second reading speech.

Hon. F. J. S. WISE: I missed that. I have no idea of what it has cost the occupant of the post in the past, but I think that a generous approach to the matter of expenses would be the best way to make a proper kind of recompense.

Mention has been made of younger men being more suitable for such an appointment. While that may be so, it is very difficult for a young man in public life to pull up his roots and sacrifice his future public life without any right to expect a re-entry into the public life when his three-year term has expired. It is very difficult for such a man. At the same time, this cannot be regarded as a post giving some emoluments, or as a concession to a person as a reward. That is a wrong approach.

It is, in truth, a position of great importance at the hub of the universe so far as the British Commonwealth is concerned. It is important that we should have a man representing us there who has experience and maturity and the full appreciation of the Government sending him there and the likely appreciation of future Governments. I hope that when the Government is able to give consideration to this matter, if there is a member of the Government desirous of having the position there will be no doubt of his being the man appointed to go. That is my personal view. I support the Bill.

**THE MINISTER FOR RAILWAYS**  
(Hon. H. C. Strickland—North—in reply) [7.52]: This is perhaps the only occasion on which this measure has been before Parliament since the initial appointment of an Agent General was made, when the office has been vacant; and the submission of this Bill has enabled members of Parliament to express their views, if they so desired, on the requirements for such an important post. Some very well-thought-out suggestions have been made here today in connection with the office, the type of person who should represent the State,

and the remuneration he should receive, together with various other factors surrounding the office.

I think the Government was very wise in not making an appointment prior to introducing legislation to increase the Agent General's salary. It will be able to consider the various points that have been made during the debate, and no doubt consideration will be given to the suggestions put forward.

Hon. A. F. Griffith: I think it would have been reasonable to anticipate Parliament's agreeing to the increase.

**THE MINISTER FOR RAILWAYS:** I could not anticipate what Parliament would do with regard to an increase in salary.

Hon. A. F. Griffith: You said the Government held up the appointment till an increase was agreed to.

**THE MINISTER FOR RAILWAYS:** I said I thought the Government was wise in amending the Act to increase the salary before making an appointment.

Hon. A. F. Griffith: That has left the State without representation for seven months.

**THE MINISTER FOR RAILWAYS:** The position has been vacant, but there has been a very good officer acting in the position during the past seven months. I do not think that the office has been neglected. The Government has no cause to be concerned about the position; but it did take the opportunity of recognising the fact that money values have depreciated, and that it was time for the Agent General's salary and allowance to be reviewed.

I consider that the salary now fixed is fair and reasonable. After all, £3,000 sterling amounts to something like £70 per week in Australian currency as a salary which is taxable to the extent of between £600 and £700 per annum. There is a clear £3,000 from the salary. On top of that there is an untaxable £50 per week in Australian currency for entertainment expenses. If we add those two amounts together, there is something in the vicinity of £6,500 (Australian), which is not to be sneezed at. I suggest it compares very favourably with the salaries paid to Agents General from other States. It is also much in excess of the Premier's salary, and is comparable with the Governor's salary.

Hon. A. F. Griffith: That is not enough.

**THE MINISTER FOR RAILWAYS:** Those who are complaining about the salaries for the Agent General have not a very happy ground for complaint. To assess what the job is worth is, as a previous speaker has said, not possible. One person could be a good representative, and another person might not be so good. There has not been a bad representative,



to my knowledge, acting as Agent General. They have all been good representatives for our State, but there are some persons who are better than others in all spheres and activities.

I am not one who believes that the Agent General should be a social butterfly. I believe that there might have been a little too much social activity in the United Kingdom instead of more activities in connection with the selling of our State being undertaken. I am not competent to express a definite opinion on that, but we hear views for and against.

The position, to my mind, is one for a person who will get out and sell this State; who will move about amongst the type of people who are likely to be interested in investing money here. He would need to endeavour to point out to British capitalists that American capitalists are beating them in the race for investment in Australia. Such people should be awakened to the fact that the field for investment in Australia is fast closing up to sources other than Britain. There is no doubt that there is investment capital in Great Britain, and it should be exploited and encouraged to be invested in Australia and, particularly, Western Australia.

Hon. A. F. Griffith: What has occurred over the last few years?

The MINISTER FOR RAILWAYS: We have a vast area of territory here still to be developed, and we have the cheapest land in the British Commonwealth available for those who have the necessary capital and are prepared to undertake that development. I firmly believe that this is the time when whoever is selected for the position of Agent General should apply himself to that field instead of using up his time and energies perhaps attending social banquets. I believe much can be done for Western Australia if it is publicised in the right way—

Hon. G. Bennetts: You would not want him to get around in a top hat.

The MINISTER FOR RAILWAYS: The suggestions that have been placed before this Chamber are most interesting, and the only criticism I have to offer is in respect of Mr. Griffith's proposal that the activities of the Agent General should be written into the Bill. As Mr. MacKinnon pointed out, it is impossible to prescribe such activities in detail; but broadly they have been in the Act, unaltered, since 1895. Section 2 reads—

It shall be the duty of the Agent General to do and perform all acts, matters and things in the United Kingdom and elsewhere in relation to Western Australia in accordance with the instructions as may from time to time be given or transmitted to him by such Minister as may from time to time be appointed by the Governor to

be the channel of communication between the Colony and the Agent General.

I believe that wording is very wide and amply prescribes the duties of the person who acts as agent for the Government. Those duties can be varied from day to day or from week to week; and at times, on an instant's notice, he may be directed to carry out some function or attend to some particular business on behalf of the State. It would therefore be impossible to prescribe in a Bill all the conditions of the office or all the duties and functions of the Agent General. Mr. Griffith suggested that the duties should be prescribed, but that would not be possible. I agree that the word "colony" may be a little antiquated; but, after all, the Historical Society might not agree with either the hon. member or me in connection with preserving our historical statutes.

I hope the office of Agent General will never be abolished; and I believe that the Act which created it, although it may not be appreciated by the hon. member at the present time, might in years to come be looked back on by his children or grandchildren as something to be proud of. I am pleased with the reception accorded the measure.

Question put and passed.

Bill read a second time.

#### *In Committee.*

Hon. W. R. Hall in the Chair; the Minister for Railways in charge of the Bill.

Clause 1—agreed to.

Clause 2—Section 3 amended:

Hon. A. F. GRIFFITH: I wish to refer to the Minister's statement regarding the amount of the salary to be paid. I do not think any member complained about the salary. But it was suggested that the salary and expenses, and particularly the expenses, should be more in order to promote our interests in England. It is no use saying that the Agent General will receive £3,000 salary and £2,000 expenses which will amount to £6,250 Australian as that is a false argument. The money will be spent in the sterling area, and the amount will be £5,000 sterling.

The MINISTER FOR RAILWAYS: I merely drew a comparison of the salary and expenses with salaries paid in this State, and for that reason I converted the total to Australian currency. I never said the Agent General would have £6,250 to spend in England.

Hon. C. H. SIMPSON: One of my duties while I was a Minister was to entertain on behalf of the Government the Minister for Transport in South Africa, which is on sterling parity. During the course of conversation the question of the cost of his trip arose, and I said, "Do not forget that your £ is worth 25s. here. How does it work

out?" And he said, "Strange as it may seem, it makes very little difference. In South Africa I have to spend £1 to buy £1 worth of goods at local values, but when I change £20 South African into £25 Australian I find that it costs me £25 Australian here to buy the same as I could have bought for £20 sterling in London or South Africa." The point is that when the values are translated there is in reality very little difference.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

### MOTION—CITY OF PERTH PARKING FACILITIES ACT.

*To Disallow Regulations.*

HON. L. C. DIVER (Central) [8.12]: I move—

That the regulations made under the City of Perth Parking Facilities Act, as published in the "Government Gazette" on the 5th day of March, 1957, and laid on the Table of the House on the 9th day of July, 1957, be and are hereby disallowed.

The regulations, when placed on the Table of the House, created considerable interest; and because it seemed that they might have a detrimental effect on the motorists of Perth, I decided to move this motion. While I was obtaining information that I required, it appeared that the result of these regulations might be that the Perth City Council, after the installation of parking meters in the city proper, would be able to order more meters and place them in streets that are not at present looked on as part of the city proper.

That possibility was given weight by a brochure recently put out by the Minister for Transport, which stated that elsewhere in the world where parking meters have been installed they have proved to be such good revenue-raisers that their numbers have almost invariably been increased. So on that score my initial suspicion was not altogether without some foundation. However, on making further inquiries to ascertain whether such would be the case, I visited the Crown Law Department, and I was informed that the regulations in question cover a parking region extending from the river foreshore near the Causeway in the east; to Thomas-st. in the west; and from the river foreshore in the south to Vincent-st. in the north.

I was afraid that that area would be encompassed at the will of the Perth City Council to determine what parking facilities would be provided in each area. However, as I have said, following my visit to the Crown Law Department, I have been informed that I need have no fear on

that score, because any future parking regulations made by the Perth City Council will have to be sanctioned by the Minister; and, as a result, the regulations that will apply will have to be laid on the Table of the House. In view of those circumstances, I ask leave to withdraw my motion.

Motion, by leave, withdrawn.

### BILL—LOCAL GOVERNMENT.

*Presidential Announcement re Handling of Measure.*

The PRESIDENT: I wish to announce that I have agreed to Mr. Teahan, whilst handling the Local Government Bill in this House on behalf of the Government, sitting on the right-hand side of the Minister for Railways.

*In Committee.*

Resumed from the 31st July. Hon. W. R. Hall in the Chair; Hon. J. D. Teahan in charge of the Bill.

Clause 12—Power of Governor to constitute municipalities (partly considered):

The CHAIRMAN: Progress was reported on this clause after Mr. Diver had withdrawn an amendment to add a proviso to the clause.

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

That the following proviso be inserted at the end of paragraph (d) on page 22:—

Provided that the Governor is satisfied that at a referendum held for the purpose a majority of the electors voting on the question have in each of the municipalities affected signified their assent to the petition.

I think that will meet the objections that were raised to the amendment I moved previously, because it will clarify the point that it is to be a majority of the electors voting.

Hon. J. D. TEAHAN: The proposed addition of the word "voting" in the amendment is important, but it would take away from the Minister powers that he has enjoyed since 1906. No injustice would be done to any local authority if the clause remained as printed; and whilst it may be regarded that the holding of voluntary referendums is democratic, yet in many instances such is not the case. For example, there are some people, in road board districts, who are extremely anxious for a referendum to be carried. So a small section of voters is whipped up to vote "No." But there is a large section of people who do not care—which, in effect, destroys the true value of the holding of the referendum. I therefore suggest that the clause should remain as printed.

Hon. A. F. GRIFFITH: Is Mr. Diver satisfied that this proviso is being inserted in the right place?

Hon. L. C. DIVER: Yes.

Amendment put and passed.

Hon. L. A. LOGAN: I move an amendment—

That Subclauses (3) and (4), page 23, be struck out.

The purpose of my amendment is to seek some information in regard to the intention contained in the clauses. For example, Subclause (2) reads as follows:—

The Governor, by Order made after effective presentation to him of a petition bearing the common seal of each municipality which will be directly affected by the Order may—

And then, in paragraph (d) of that subclause, appear the words—

unite two or more municipalities whose districts are adjoining and their districts so as to form one municipality and one district.

However, in Subclause (3), the Governor, after effective presentation to him of a petition bearing the common seal of only one of the municipalities which will be directly affected by the order, may sever from a district portion of the district. Surely that is a contradiction of the wording contained in Subclause (2). Again, in Subclause (4) the Governor may, without a petition, unite two or more municipalities whose districts are adjoining, that provision being contained in paragraph (e). Surely this, too, is a distinct contradiction of the wording contained in Subclause (2). Therefore, I would like some clarification of this clause.

Hon. A. F. Griffith: Look at paragraph (c) of Subclause (4) too!

Hon. L. A. LOGAN: That is different. That applies only to a municipality which, for two consecutive years, has received less than £1,000 revenue from rates.

Hon. J. D. TEAHAN: Subclauses (3) and (4) have been specially inserted in the Bill to grant to the Governor the power that is mentioned in them, as it is claimed that, without that right, it probably would be necessary for special legislation to be introduced to effect the necessary alteration. Although a referendum may be held, it is contended that possibly the matter would have to be taken further by legislation being brought down to bring about the desired result, unless this power were provided. Therefore, Subclauses (3) and (4) have been inserted to give the Governor the right to bring about an amalgamation and to alter the boundaries.

Hon. L. A. LOGAN: I am not satisfied with Mr. Teahan's explanation. In Subclause (2) the Governor is to be granted

the right to do practically all these things, provided that both municipalities are agreeable. How can the Governor give effect to these provisions if he has to have a petition from the municipalities affected and yet, in the next breath can say, "I do not need a petition; I can carry out this power without it."?

The MINISTER FOR RAILWAYS: It seems to me that it is proposed to give power to the Governor to do certain things where both local authorities agree. However, a position could arise where they could disagree. Nevertheless, the correct course may be the one that is followed by the carrying out of the requirements laid down in Subclauses (3) and (4). The Governor should be granted that power; otherwise it would require special legislation to be enacted. In my opinion it would be unwise to delete these two subclauses.

Hon. Sir CHARLES LATHAM: Subclause (3) of this clause reads as follows:—

The Governor, by Order made after effective presentation to him of a petition bearing the common seal of one only of the municipalities which will be directly affected by the Order may—

sever from a district a portion of the district and annex the portion to another district which the portion adjoins.

I think the hon. member is pointing out that this should not be a one-sided sort of petition. Perth could present a petition and say, "Sign this," and by doing so could swallow up Subiaco. There is nothing to prevent it. Surely the district to be absorbed or to have a section taken away has a right to say yes or no. I think members will recall that when certain legislation was before the Chamber last session, it was expressed clearly, by an amendment to the Bill before us then, that we were not going to give the right to one municipality to absorb another without agreement.

Hon. G. C. MacKINNON: A wealthy municipality may adjoin a poor one, and the former might absorb portion of the latter without its being asked about the matter. It could find itself in the position where it could be abolished. I cannot see that there is anything to stop that situation arising; but perhaps Mr. Teahan could explain it.

Hon. J. D. TEAHAN: Each of the last speakers has overlooked the fact that we have accepted an amendment which provides for the Governor to accept a petition bearing the seal of each municipality.

Hon. L. A. LOGAN: Might I ask which takes precedence? We have already made provision for a referendum to be held at the request of three people. If this takes precedence, why have "three" in the Bill at all? It is redundant; and as far as I

am concerned, these provisions must go. It has probably happened before when part of one municipality has been taken away and given to another. I know of areas where the fight has been going on for a long time and it is still going on.

The **MINISTER FOR RAILWAYS**: Subclause (3) simply gives the Governor power to be used if necessary. He may do this on a petition.

Hon. Sir Charles Latham: From one body.

The **MINISTER FOR RAILWAYS**: On the seal of one municipality where they disagree and one holds out against the other. One can have a road board holding out; whereas, in all justice, the particular petition of the other road board should be upheld and carried out. Therefore, the power is left with the Governor by order. An Order in Council is through the Minister and Executive Council, and these things are not done lightly. Due consideration will be given to these activities, firstly, by the Minister and then by Executive Council, and finally by the Governor. I do not see any danger. It leaves a power to be used if necessary, and there could be times when it would be necessary.

Hon. Sir **CHARLES LATHAM**: As I see it, in spite of the desire of a municipality to be absorbed, the Minister is going to do what this Chamber last session said should not be done. Subclause (2) refers to each municipality. That is very fair; it applies where two bodies agree and ask for it. I think it would be probably very satisfactory from a financial point of view to ratepayers if some of these municipalities were absorbed, but I am not going to be a dictator and say it should be done against their wishes. The ratepayers should be consulted. I hope the Committee will not agree to this proposal, as I am sure it will be opposed by local authorities who take a pride in their work.

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

Ayes	.....	13
Noes	.....	11
Majority for	.....	2

**Ayes.**

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

**Noes.**

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

Amendment thus passed.

Hon. R. C. **MATTISKE**: In view of the amendment just carried Subclause (5) now becomes redundant or it wants drastic

alteration. I was wondering whether Mr. Logan had an amendment, or whether it would be preferable to postpone the matter.

Hon. L. A. **LOGAN**: I have not at the moment made any attempt to further amend the clause and would suggest that, as it is almost a foregone conclusion this Bill will be recommitted, this clause be considered then.

Clause, as amended, agreed to.

Clauses 13 to 16—agreed to.

Clause 17—Effect of dissolution of municipalities:

Hon. Sir **CHARLES LATHAM**: The clause deals with something that the Committee has decided shall not be included in the Bill. The Minister might feel inclined to postpone it. It might be required; but on the other hand, it might not.

The **MINISTER FOR RAILWAYS**: As I see the position, we have not cut out all of the orders.

Hon. Sir Charles Latham: That is why I did not suggest taking it out.

The **MINISTER FOR RAILWAYS**: It has been mentioned that the Bill will most likely be recommitted. If it is discovered that Clause 17 is, in some parts, affected by previous amendments, we can give consideration to it then. I suggest it be passed as it is.

Hon. L. A. **LOGAN**: Orders can be made under Clause 12 (2). This clause can apply to the order there.

Clause put and passed.

Clause 18—Powers in event of severance:

Hon. R. C. **MATTISKE**: I move an amendment—

That the word "four" in line 25, page 30, be struck out and the word "five" inserted in lieu.

This is consequential on an alteration to Clause 10.

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

Clauses 19 and 20—agreed to.

Clause 21—Form of petition:

Hon. L. A. **LOGAN**: Subclause (3) of Clause 12 has been deleted. It will be necessary to make an alteration at the beginning of this clause. I move an amendment—

That after the figure "(1)" in line 7, page 32, the word "or" be inserted.

Amendment put and passed.

Hon. L. A. **LOGAN**: I move an amendment—

That the word and figure "or (3)" in line 8, page 32, be struck out.

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

Clauses 22 and 23—agreed to.

### Clause 24—Deposit:

Hon. R. C. MATTISKE: I ask members to vote against the clause. The presenting of a petition is a serious matter and is not to be taken lightly by the petitioners. In view of that, it is wrong in principle that they should have to lodge a deposit with the petition.

Hon. J. D. TEAHAN: It is necessary to retain the clause. The deposit is intended to be used only where there is an unsuccessful poll. Some portion of the deposit will be used for the expenses of the poll. If we did not have this provision we could have frivolous appeals and petitions following one on another. I should say the cheapest poll in any town would cost £50 or £60. If a person had to lodge a deposit he would not treat the matter lightly.

Hon. G. C. MacKINNON: Can Mr. Teahan inform the Committee what petitions now have to be accompanied by a deposit?

Hon. Sir CHARLES LATHAM: This applies to Clause 12. I just wonder whether we all understand it sufficiently. If the ratepayers are going to put the shire or municipality to a lot of expense because someone wants to make changes, whether they are justified or not, there should be some definite guarantee. Not many petitions have been presented.

Hon. R. C. MATTISKE: A petition, as required under Clause 12, must have a certain number of signatures, and then a referendum is held. I cannot see that any action would be taken lightly, and it does not say here who must supply the money for the deposit. Whether the petition is frivolous or not, it is not the original petitioners who will be personally responsible for the provision of the money.

Hon. Sir Charles Latham: Won't they have to deposit it with the petition?

Hon. J. D. Teahan: Yes, the petition is lodged with a deposit.

Hon. R. C. MATTISKE: That is so. However, I think the clause is unnecessary.

Hon. G. C. MacKINNON: I asked Mr. Teahan, and he has not yet answered me, whether there are any petitions at present which have to be accompanied by a sum of money. I take it that there are not. If the Government is in fear of petitions being lodged frivolously, perhaps the best solution would be to increase the number of people who have to sign them. I am not happy about people having to pay for the right to petition, because it has always been made easy for the Queen's subjects to pray for leniency.

Hon. Sir CHARLES LATHAM: I would not mind if a majority of the ratepayers had to sign a petition; but all the percentages, as regards petitions, are set out in Clause 12. There is no doubt that some people take a delight in going around

with petitions just to create a nuisance, and in this instance I think the number of people who have to sign could be increased.

Hon. L. A. LOGAN: I think the best way out of the difficulty is for the people to be fined if the petition is found to be frivolous. That is the position with protests. If people lodge a protest and it is found to be frivolous, they can be fined. It should be the same in this instance.

Hon. R. C. MATTISKE: I venture to say that the reason for the inclusion of the clause was to prevent unnecessary work for the Minister, because, as the Bill originally said, 20 people or 50 people—as the case may be—could petition the Government. The Minister would then carry out a certain procedure as laid down in Clause 12, and he would be involved in a considerable amount of work at the request of 20 or 50 people. So there could be some argument for the necessity to lodge a deposit. But now that an amendment has been passed that following the petition there be a referendum, I think the clause should be struck out as the holding of a referendum with the majority of the ratepayers voting must eliminate completely the necessity for a deposit.

Hon. J. D. TEAHAN: The clause would not be included unless there was a necessity for it. The Municipal Corporations Act has been in existence for a long time and has been tested and tried. We know how easy it is for a person to start a petition, but he will think twice if a deposit has to be lodged with it. He will need a sound case.

Hon. L. A. LOGAN: I think we should read Clause 27, because that has a considerable bearing on the matter. From that I presume that only one person will supply the money, although he may collect it from the other petitioners. He is the one responsible to the Minister when he lodges the petition but after six months he should not be responsible for returning the money to all those who signed the petition.

The CHAIRMAN: Mr. Mattiske has an amendment on the notice paper in regard to that clause.

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

Ayes	.....	13
Noes	.....	11
Majority for		2

### Ayes.

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

Noes.

Hon. J. Cunningham	Hon. H. L. Roche
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. Sir Chas. Latham	Hon. J. M. Thomson
Hon. L. A. Logan	Hon. F. D. Willmott
Hon. G. MacKinnon	Hon. A. F. Griffith
Hon. R. C. Mattiske	(Teller.)

Clause thus passed.

Clause 25—Minister may present petition under Section 12 (1) to the Governor, or direct poll to be taken:

Hon. G. C. MacKINNON: I move an amendment—

That all words after the word "shall" in line 32, page 34, down to and including the word "fit" in line 35, be struck out.

I think that on examination it will be found that this amendment is consequential on some which have been agreed to previously. As the clause reads at present, if a person has a petition which could represent a minority view, the Minister or the Governor could act on that. What I propose to do is to make it obligatory for the matter to be examined and be subject to a referendum of the people concerned.

Hon. J. D. TEAHAN: As the clause stands, the Minister will act on the desires of the petitioners. If Mr. MacKinnon's amendment is accepted, after the petitioners express their desire, no matter what the number, it will be necessary for the Minister to submit the question to the council. What is the necessity for the two moves? If two-thirds of the electors present a petition for a certain action to be taken, it then has to be referred back to the councillors for their comment. It is quite unnecessary, and would probably result in something being done contrary to the wishes of the electors.

Hon. G. C. MacKINNON: The Bill says that the Minister shall present it to the Governor. This is one of those matters where it is necessary to refer back. Some of the provisions we have already dealt with say that if a petition is presented to the Governor he can arbitrarily act on that petition. I think Mr. Teahan is off the beam, because it says that if it is presented to the Governor he can act on it. I want the matter to be examined by the council; and, if they are satisfied, it should then be submitted to the people and they should have a referendum to decide. This is in line with the amendment moved by Mr. Diver on page 21.

Hon. J. D. TEAHAN: I am still satisfied that the provision should remain. If we accept the fact that a petition is not lightly made, we must also accept the fact that the Governor will not act lightly. He would have the advice of his Minister, who has had years of experience, and I would say that a just verdict would be given.

The MINISTER FOR RAILWAYS: The proposed amendment would make it obligatory on the Minister to refer the petition back to the council even though the majority of the ratepayers in the area affected had made the petition. Surely we are not going to agree that once it goes through a local governing body by a majority of the ratepayers affected by severance it should be sent back to them! The clause simply says the Minister shall either refer the petition to the Governor or refer it back. If he had to refer the petition back to where it came from, it would place him in a ridiculous position.

Hon. G. C. MacKINNON: I cannot see the Minister's point that these petitions will emanate from local authorities. They will emanate from the ratepayers as distinct from the local authorities. To say there is no point in it is to beg the question. This brings us back to the question of president which was discussed at great length. I would refer members to Clause 12 (2) and also to Subclause (1) of that clause which was amended by Mr. Diver. Since this is a later clause, I assume it would override the previous provision. The people should have the right to say by a majority whether they wish these things to take place.

The MINISTER FOR RAILWAYS: Mr. MacKinnon is confusing the question. He refers to Clause 12 (2) which, in fact, is not affected by his amendment. His amendment deals only with Subclause (1) of Clause 12. I would refer the Committee to the clause under consideration, and point out that the position could arise where a majority of ratepayers who occupy ratable land to be severed would present a petition to the Minister who would then have to send it back to them. It would be ridiculous.

Amendment put and negatived.

Clause put and passed.

Clauses 26 to 32—agreed to.

Clause 33—Qualification of mayor, president and councillors:

Hon. R. C. MATTISKE: I move an amendment—

That subparagraph (ii) in line 24, page 39, be struck out.

By restricting the qualifications of councillors to those resident in the district, we will debar certain very capable persons from serving the local government in specific areas. It should be sufficient if they are registered as electors on the electoral roll, are over the age of 21 years, and are natural born or naturalised British subjects.

The MINISTER FOR RAILWAYS: I hope that the clause will be allowed to stand. It is only reasonable to expect the mayor, president or chairman of a

local authority to reside in the particular district he represents. That will be more acceptable to the ratepayers generally.

Hon. J. D. TEAHAN: I am certain that such a person who resides in the district where he is holding office will know more about what happens in the district than someone from outside. He is more interested in that district if he resides in it. A person who resides in Sydney or in some distant part of this State, but who possesses a block of land in a district should not be enabled to nominate for a position on the local authority in that district. The person standing for election should reside in the district.

Hon. G. BENNETTS: I would strongly object to a person residing in Kalgoorlie being appointed as mayor of Boulder City, for example. The mayor of Boulder should be a ratepayer and on the municipal roll of that city.

Hon. L. C. DIVER: I support the amendment because all my experience in local government points to the advantage of retaining the existing provision. I live in the Kununoppin district, but I also own a lot of land in the Kellerberrin district. For many years I was a member and chairman of the local authority in Kellerberrin; but if this clause had been in operation at that time, I would not have been able to nominate.

Hon. R. C. MATTISKE: In answer to the objections to my amendment, I would point out that although a person may only own land to qualify for appointment, it is still competent for the ratepayers or electors to elect some other person who resides in the district. If the person who is a resident of the district were thought to be the more suitable person, he would be the one to be appointed. This amendment does not seek to place restrictions on the electors; it will simply be the means of enlarging their choice.

Hon. F. R. H. LAVERY: I am the owner of some land in Harvey. Would the hon. member who has just spoken be agreeable to my nominating for a position on the Harvey Road Board, for instance?

Hon. Sir Charles Latham: You could not be appointed without the ratepayers' consent.

Hon. F. R. H. LAVERY: I am sure the hon. member would not be agreeable that I, living in Fremantle, should have the right to nominate for a vacancy on the Harvey Road Board, to the exclusion of nominees residing in that district. That would be preposterous.

Hon. R. C. MATTISKE: I would point out that there are members in this very House who do not reside in the provinces which they represent.

Hon. L. C. DIVER: For over 50 years the Road Districts Act has contained the existing provision in regard to nomination.

Can the supporters of the clause we are dealing with give instances of any abuse of the existing provision, or show that it has been of disadvantage to the ratepayers? Surely if there are instances of the existing provision doing damage to any local authority, they can be given.

Hon. C. H. SIMPSON: I can give an instance where the mayor of a town rendered splendid service to the district, although he was not living in it. He was in business in that district, and for a long time he resided in it; but later he went on to a farm outside that district, although he still retained his house and occasionally resided there. As a person cannot be resident in two places, it cannot be said that he was not resident on his farm. He still continued as mayor of the town, and it was against the wishes of the people that he should retire from the position. If the clause were agreed to, he would have had to retire. I consider that this clause is a restriction on the freedom of the individual and that it will serve no good purpose. In some instances it will deprive ratepayers of the services of a very good man.

Hon. J. M. A. CUNNINGHAM: I am wondering whether some of us are not on the wrong track, because the clause says that, to be eligible, a person must have for a period of at least six months prior to his nomination been on the electoral roll and been a resident. A person could not be a "blow-in" and qualify to be on the roll after residing in a district for a few days. It appears to be the intention of the clause to prevent that happening. A strict interpretation of the clause will show that it is not necessary for a nominee to continue to be a resident. He has to be one for six months prior to nomination, to qualify.

Hon. R. C. MATTISKE: The hon. member appears to be on the wrong track. The words used are "has for a period of at least six months prior to his nomination been registered as an elector on the electoral roll . . . and is not disqualified." If all the words are left in the clause the nominee will also have to be residing in the district prior to his nomination, implying that he had resided there for six months to qualify for his nomination. I am not permitted to refer to any clause which follows, but there is a similarity between this clause and another one which relates to qualifications. That further clause has an important bearing on the inclusion of the words referred to. If members are agreeable that representatives in this House should represent provinces in which they are not resident, I venture to suggest that they should agree to my amendment. I can name many persons who will be lost to local authorities if the residence qualification in this clause is agreed to. The people should have as

wide a choice as possible in the selection of a candidate. After all, the people are the ones who make the decision.

**Hon. J. M. A. CUNNINGHAM:** In the case of a person who has been residing sufficiently long in a district to qualify for nomination as mayor, being elected, does he have to resign from his position if he decides after a few months to live beyond the boundary of the district?

**Hon. R. C. Mattiske:** The clause is quite clear on that. It says "a period of six months prior to his nomination."

**Hon. R. F. HUTCHISON:** Why should the hon. member elect to give as wide as possible a choice in the selection of nominations?

**Hon. R. C. Mattiske:** For the sake of democracy.

**Hon. R. F. HUTCHISON:** This is a case of democracy in reverse. It must be remembered that only individuals who own property have a vote in local government affairs. The amendment is not intended to assist in giving as wide a choice as possible to the people. It is the narrowest possible choice that is available to the people now eligible to vote.

**Hon. L. A. LOGAN:** The amendment is not as wide as Mr. Mattiske thinks. Under the clause a person who has for six months prior to his nomination been registered on the electoral rolls is eligible. That refers to the roll of the municipality concerned; therefore he must be a ratepayer of the district for which he has nominated. The so-called "blow-in" cannot be eligible for nomination. He has to be on the roll, and there is the safeguard. Take a person with property in three road board districts. He may live in one corner of the district in which he has a small portion of his property, and most of his property may be in the other two districts. Are we to debar him from nomination? If this clause is agreed to he will be debarred. I know an instance of a person who during the last road board elections nominated for two road board vacancies in the one day and he nearly won both! He had property in the two districts, and was therefore entitled to nominate. That is the way it should be.

**Hon. G. C. MacKINNON:** I relate an actual case that might help to clear the issue. This applies to Bunbury and shows how adversely the clause will react. A very short distance from Bunbury is the settlement of Eaton within the Dunsborough Road Board. Many people living in Eaton have businesses or jobs in Bunbury, and most do their shopping in Bunbury. The people of Eaton come under the Dunsborough Road Board, although Eaton is only two miles from Bunbury; that is because Bunbury is a small municipality. A person with his business in Bunbury, but living in

Eaton, will only be able to nominate for the Dunsborough Road Board, though Dunsborough is a town which he may not visit from one end of the year to the next. This clause will debar him from nominating for a seat on the Bunbury Municipal Council, in a district in which all his activities are centred, just because, through a bit of an accident of boundaries, he is living in a town which is part and parcel of the Dunsborough district.

**Hon. J. M. A. CUNNINGHAM:** I have realised that in actual fact I worked under these circumstances. I had a business in Boulder and had residential qualifications. I lived there for many years and became a member of the Boulder municipality. Subsequently I moved half a mile to the Kalgoorlie road board area but remained a municipal councillor and ultimately became mayor. Under this set-up, I would have had to resign if the interpretation put on it is correct.

**Hon. E. M. HEENAN:** There is a good deal of ambiguity about what this sub-clause means. I think Mr. Cunningham might be on the right track, and Mr. Mattiske has not much to worry about. Paragraph (c) could be interpreted to mean two or three years ago so long as he resided in the district at least six months at some time prior to his nomination. If it is intended to mean six months immediately prior to his nomination, the word "immediately" should be inserted. I think that the provision would mean that if Mr. Cunningham had lived at Boulder for six months at any time, and been on the roll—

**Hon. G. Bennetts:** And is still on the roll.

**Hon. E. M. HEENAN:** Where does it say he must still be on the roll?

**Hon. Sir Charles Latham:** So long as he has been on it.

**Hon. E. M. HEENAN:** I think it could be argued with some plausibility that so long as a man had resided in the district for six months at some time prior to his nomination, and was on the roll some time prior to his nomination—

**Hon. G. Bennetts:** And is still on the roll.

**Hon. E. M. HEENAN:** No. Probably that is what is intended; but it is not explicit. Under this provision, if I wanted to nominate at Kalgoorlie I would be eligible to do so because, although I am not residing there now, I resided there for some years, and would therefore have resided there prior to my nomination, which might be next week. If it is intended to mean "immediately" prior to the nomination, then the word should be included.

**Hon. L. C. DIVER:** Prior to nominating for election to a road board I lived over the boundary. There was a surveyed chain road between my residence and the



local authority to which I wished to be elected, and in which I had substantial interests. I lived in the district for 44 years but did not spend six months in the area I represented. If this provision is left in, it will debar any person in a country district in similar circumstances from giving service to the public.

Hon. C. H. SIMPSON: If subparagraph (ii) of paragraph (c) is left in, a doubt will be created, because it is ambiguous. If it is struck out there will be no ambiguity, and hence there would be no appeal. As Mr. Mattiske said earlier, if the question of residing in the immediate area is vital, the electors will decide that question when it comes to the election.

Hon. F. D. WILLMOTT: I could quote a case like that of Mr. Diver. The chairman of the Greenbushes Road Board, one of the oldest in the State—

Hon. Sir Charles Latham: In age?

Hon. F. D. WILLMOTT: No, in length of service. He happens to live in the Greenbushes Road Board area; but his brother, whose land adjoins his, lives on the other side of the river, and his house happens to be in the Bridgetown Road Board area. If this provision is left in the Bill, the brother could never become a member of the Greenbushes Road Board, where all his interests are. It makes no difference whether a man lived in a district for some time in the past. There is no reason why he should ever have lived in the area at all. The argument that a man who is living in an area might have a bigger interest in it than a man living outside is fallacious, because the man living outside might be the biggest holder of property in that area. If this provision is left in, he would be cut clean out.

Hon. N. E. BAXTER: I lived for over three years in the Beverley district, and was a registered elector. I would have complied with the six months' residential period, and under this provision I could be elected to the Beverley Road Board. Would Labour members agree with that? I have no interest in the district; yet, under this provision, I could become a member of that board. That is why this residential provision should be deleted.

Hon. A. F. GRIFFITH: Mr. Baxter has raised the point that I was going to raise. If the words "been residing in the district" are cut out, there will be that ambiguity of which Mr. Heenan spoke. Is it the idea of the Government to have such ambiguity? Is it right that Mr. Baxter, having left the district years ago, could yet become mayor or a member of the local authority without having a stake in the area? I do not think that is the intention. If that is not the intention, perhaps on recommitment it would be a good

idea to patch the matter up and insert the word "immediately" as suggested by Mr. Heenan.

Hon. Sir CHARLES LATHAM: We should make it perfectly clear that what we want is that a person shall be 21, and a ratepayer in the district.

Hon. J. D. TEAHAN: All that the clause requires is that a person shall have lived in the district for six months. The question has been asked as to whether there has ever been any conflict as a result of a person residing in one district and being elected to the local authority in another district. Time and again the interests of adjoining municipalities or road boards have conflicted. I have seen such conflict. Reference has also been made to a person being on two local governing bodies. I have known that to happen, and it did not work too well.

I have known of an agreement to be drawn up between two local authorities concerning a certain trading venture. One road board member sat one night listening to the whole of the confidential discussion concerning the agreement that would be made with the neighbouring board. The following week he sat with the other board to discuss the same agreement. He knew both points of view, and his loyalty was divided. It is very unwise to have one person on two boards, and it is not in the best interests of anybody for a person to be on the local governing body of a district in which he does not reside. I suggest that the clause stand as printed.

Hon. L. C. DIVER: I do not know what the situation was as regards the cases mentioned by Mr. Teahan. But in my own case my whole interests were associated with the district in which I was not domiciled. I would say that 90 per cent. of my road travel was done in that district—a distance of 22 miles. Had I endeavoured to represent the district in which I lived, I would have had to travel 24 miles the other way.

This measure provides that one would have to go into an area in which he might have a limited amount of community interest and represent that area. In that case we would debar men from giving service to a district in which 95 per cent. of their interest lies, and that is what I take exception to. If it is desired to prevent a man from representing the people on two boards, then let us insert that in the Bill. But do not let us, by a rigid Act of Parliament, tell a man that he cannot give service in a direction suitable to himself and the community.

Hon. A. F. GRIFFITH: If this provision goes through, we will be taking out of local government a lot of people I can think of, whose names I could give and who do not live in the particular area they represent.

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

Ayes	13
Noes	11
Majority for	2

**Ayes.**

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

**Noes.**

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

Amendment thus passed.

Hon. R. C. MATTISKE: I move an amendment—

That Subclause (2) in lines 31 to 34, page 39, be struck out.

The subclause is rendered redundant by the passing of the previous amendment.

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

Clause 34—Disqualifications:

Hon. G. C. MacKINNON: I move an amendment—

That after the word "party" in line 10, page 40, a new paragraph be added as follows:—

(f) Has been convicted of an offence against this Act.

The clause lists the offences, but the measure does not list as a reason for disqualification an offence against the Act.

Hon. Sir Charles Latham: What sort of offence—driving on the wrong side of the street?

Hon. G. C. MacKINNON: Making a false statement, for instance.

Hon. Sir Charles Latham: That would come under the Criminal Code.

Hon. G. C. MacKINNON: There are a number of fines prescribed in the measure for offences against the Act. I do not think that a person who commits an offence against the Act should remain eligible.

Hon. J. D. TEAHAN: Expectoration on a footpath is an offence under the Act. Surely it is not desired that a person should be rendered ineligible because of such a minor offence.

Hon. E. M. HEENAN: I agree that it would be a terrible penalty to inflict for many of the minor offences listed.

Amendment put and negatived.

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

That after the word "Act" in line 41, page 41, a new subparagraph be added as follows:—

(xi) he seeks or receives assistance from the municipality under any municipal assisted sewerage scheme which has been approved by the Minister, and the work in which is let by public tender.

The reason for this amendment is that under the clause as drafted a person could be disqualified from contesting an election if he carried out certain work.

Hon. J. D. TEAHAN: The proposed addition of those words seems to be just and reasonable, and I do not intend to oppose the amendment.

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

Clause 35—agreed to.

Clause 36—Supervening disqualifications:

Hon. A. F. GRIFFITH: I move an amendment—

That after the word "absent" in line 9, page 43, the words "from the State" be struck out.

Later, I wish to strike out the words "or fails to attend the meetings of the council for three consecutive ordinary meetings without sufficient cause." If the words "from the State" remain in the clause it means that a man cannot go to the Eastern States on short notice without having had leave from the council. If he has to have leave, does it matter whether a councillor has to make a short trip or a trip to the Eastern States?

Amendment put and passed.

Hon. A. F. GRIFFITH: I move an amendment—

That after the word "meetings" in line 11, page 43, the words "or fails to attend the meetings of the council for three consecutive ordinary meetings without sufficient cause" be struck out.

This is self-explanatory. It is verbose to state that a councillor must give more than one reason to obtain leave. So long as he obtains leave that is all that is necessary.

Hon. G. BENNETTS: The manner in which Mr. Griffith proposes to amend this clause will make it similar to the provisions contained in the Municipal Corporations Act which required amendment. When I was a member of the Kalgoorlie Municipal Council I was forced to miss a sitting day in this Chamber once in every nine weeks in order that I might hold my position on the council. They did give me leave on a couple of occasions; but finally I could not get leave, and I had

to attend one meeting out of every three. The amendment is a good one, and if the member cannot give sufficient reason why he cannot attend the meeting, the seat should be declared vacant. In my case I resigned.

Hon. J. D. TEAHAN: The words "sufficient cause" are fairly wide and could be misinterpreted. Therefore I propose to accept the amendment.

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

Clause 37—agreed to.

Clause 38—Longest possible term of office:

Hon. R. C. MATTISKE: I move an amendment—

That the words "or president" in line 10, page 44, be struck out.

The reason is that we have already made provision by amendment for an alternative method for the election of mayor or president to conform to either of the systems existing at the moment, under which the mayor is elected in accordance with the Municipal Corporations Act or the president in accordance with the Road Districts Act. To make this consistent with the previous amendment it is necessary to extend the term of office of president from two to three years.

Hon. J. D. TEAHAN: This is consequential upon an amendment that has already been passed and I accept the amendment moved by the hon. member.

Amendment put and passed.

Hon. R. C. MATTISKE: I move an amendment—

That after the word "years" in line 11, page 44, the following be inserted to stand as paragraph (b):—

to the office of president is 12 months where elected in accordance with Section (10) Subsection (4) or two years where elected in accordance with Section (10) Subsection (5) paragraph (b).

Hon. J. D. TEAHAN: This is consequential and I propose to accept it.

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

Clause 39—agreed to.

Clause 40—Councillor may nominate for election to office of mayor or president without resigning:

Hon. R. C. MATTISKE: I merely wish to draw the attention of the Committee to the word "president" in line 3 and to point out that it is quite in order.

Clause put and passed.

Clause 41—agreed to.

Progress reported.

House adjourned at 10.28 p.m.

# Legislative Assembly

Wednesday, 7th August, 1957.

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