Noes.

Hon. C. W. D. Barker	Hon. J. G. Hislop
Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. L. Craig	Hon. A. L. Loton
Hon. E. M. Davies	Hon. H. S. W. Parker
Hon. L. C. Diver	Hon. H. L. Roche
Hon. G. Fraser	Hon. H. C. Strickland
Hon. Sir Frank Gibson	Hon. R. J. Boylen
Hon. E. M. Heenan	*(Teller.)*

Amendment thus negatived.

Hon. H. K. WATSON: The proposed new section 33D provides that where a company is convicted of an offence, the chairman and every director or member of the governing body and every officer concerned in the management is guilty of an offence unless he proves that it took place without his knowledge or consent. That provision is far too sweeping. If the company is convicted, nothing more is necessary. The others should not automatically be held guilty. I move an amendment—

That the proposed new Section 33D be struck out.

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

Title—agreed to.

Bill reported with amendments.

House adjourned at 10.31 p.m.

Legislative Assembly

Tuesday, 1st December, 1953.

CONTENTS.

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

QUESTIONS.

HARBOURS.

(a) As to Finances, Fremantle and Outports.

Mr. HILL asked the Premier:

(1) Has he noted that Return No. II presented with the Estimates shows—

(a) Fremantle harbour surpluses, £73,693, and

(b) Bunbury harbour deficiencies, £90,627?

(2) Did he, when attending the recent South-West conference, draw attention to the rapid and serious deterioration in the finances of the Port of Bunbury?

(3) Did the South-West conference suggest means to improve the financial position of the Bunbury Harbour Board?

(4) Is it the Government's intention to increase charges at Fremantle to help pay for the losses of the outports?

The PREMIER replied:

(1) Yes. There was also a deficiency of £51,493 in connection with the Albany harbour.

(2), (3) and (4) No.

(b) As to Effect of Works, Bunbury.

Mr. HILL asked the Minister for Works: Does the fact that maintenance dredging at Bunbury for 1952-53 cost £35,316 and that the amount of £30,000 is on the Estimates this year, indicate that the effort to reduce siltation at Bunbury by the construction of a groyne and the extension of the breakwater, upon which £585,500 has been spent to date, has not been successful?

The MINISTER replied:

No. The dredging in 1952-53, and that being carried out this year, is entirely for the removal of silt and mud from the vicinity of the berth. This material was deposited there mainly during the war period, when no dredging was done, and is from the river source.

HEALTH.

As to Financial Assistance for Infant Centres.

Mr. PERKINS asked the Minister for Health:

(1) What districts has he promised to assist financially, and to what extent, in the construction of infant health clinics?

(2) What districts have been, or are being, assisted this financial year, and to what extent?

The MINISTER replied:

(1) Kellerberrin, Applecross, Subiaco, Moora, Wongan Hills, York, Pinjarra, Mullewa, Bruce Rock. Varying amounts up to 60 per cent. of the capital cost of the building only.

(2) East Cannington, Northam, West Perth, Busselton, Margaret River, Harvey, Kenwick. Varying amounts up to 60 per cent. of the capital cost of the building only. A number of other cases are at present under consideration and the applicants have been advised accordingly.

TRAFFIC.

As to Roundabout at Causeway.

Mr. YATES asked the Minister for Works:

(1) What progress is estimated to be made on the construction of the roundabout at the Causeway prior to the Royal visit in March?

(2) Is it intended that the river banks on both sides of the main approaches to the city will be tidied up?

(3) If so, how far on either side of the main approaches will this work be done?

The MINISTER replied:

(1) It is expected that the embankment and formation will be completed to finish levels by the end of March, 1954.

(2) The areas which have been associated with the construction of the new Causeway bridges and the demolition of the old structure will be tidied up prior to the Royal visit in March.

(3) Answered by No. (2).

EDUCATION.

(a) As to Timber for Manual Training Classes.

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

(1) Is it correct that no jarrah is supplied for use in the manual training centres?

(2) What timber is supplied?

(3) Is it a fact that, formerly, various types of timbers were available to the classes at the expense of the department?

(4) If so, when was this arrangement changed?

The MINISTER replied:

(1) Not entirely; jarrah has been in short supply since the 1939-1945 war. Some jarrah was supplied in small sizes to a few centres in 1952.

(2) The timbers supplied are:—
Pinus radiata;
Jarrah when available;
Parana pine;
Meranti;
Malayan timbers.

(3) Yes, originally neither jarrah nor pinus radiata were supplied, but various overseas softwoods and fancy timbers were.

(4) 1931.

(b) As to Provision of School at Roleystone.

Mr. WILD asked the Minister for Education:

(1) Is it intended to erect a new school at Roleystone?

(2) If "Yes" is the answer to No. (1)—

(a) where is it intended to erect the school;

(b) how many classrooms are contemplated;

(c) when is it expected to commence building;

(d) will any small schools in the adjacent areas be closed and the pupils brought to Roleystone by bus?

The MINISTER replied:

(1) Yes.

(2) (a) A site is under consideration adjacent to the recreation grounds in Roleystone, but has not yet been finalised.

(b) The size will depend on enrolment when building operations commence.

(c) Probably in the next financial year.

(d) It is unlikely that this proposed school will serve as a consolidated school, but this question will be considered in relation to settlement when building is projected.

BUILDERS' REGISTRATION.

As to Control of Examinations, etc.

Mr. JAMIESON asked the Minister for Works:

(1) What are the subjects necessary to be passed for builders' registration purposes?

(2) Does the Education Department control these examinations? If not, why not?

(3) Has the Education Department any registered builders employed as instructors? If so, how many?

The MINISTER replied:

(1) (a) Building construction.
(b) Building construction (drawing).
(c) Book-keeping and costing.
(d) Quantities and pricing.
(e) Builders' organisation, builders' plant and by-laws.

(2) (a) No.
(b) The Act requires the registration board to hold the examination. The examination is held under the supervision of the Technical School authorities.

(3) Yes; four.

SWAN RIVER.

As to Pollution at Bassendean.

Mr. BRADY (without notice) asked the Minister for Works:

Did he see a reference in "The West Australian" this morning to the swimming classes at Bassendean being cancelled owing to the possible pollution of the river. If so, will he arrange to have a report tabled regarding the state of the river and the cause of the pollution in that area.

The MINISTER replied:

I did see the report in the paper and I will arrange to have a report tabled.

BILL—MARKETING OF ONIONS ACT AMENDMENT.

Introduced by the Minister for Agriculture and read a first time.

MOTION—LICENSING.

As to Temporary Facilities, Kwinana.

THE MINISTER FOR WORKS (Hon. J. T. Tonkin—Melville) [4.43]: I move—

That this House approves—

(a) of the provision in the Kwinana district facing Harley Way in Medina shopping and business centre of temporary facilities for the purchase and consumption of liquor and other liquid refreshments as set out in the form of agreement tabled in this House on the 26th day of November, 1953, and made pursuant to clause 5 (o) of the agreement defined in section two of the Oil Refinery Industry (Anglo-Iranian Oil Company Limited) Act, 1952, between the State and the Company therein mentioned and Australasian Petroleum Refinery Limited; and

(b) of the completion of the form of agreement and the carrying out of its provisions.

For a considerable time now, covering many months, the Australasian Petroleum Refinery Ltd., which is the company constructing the oil refinery at Kwinana, has been very much concerned at the lack of adequate facilities at Kwinana for the purchase and consumption of liquor. The company expressed fears that unless such facilities were provided it might have difficulty in retaining the necessary labour for the construction and establishment of the refinery, particularly during the hot summer months.

No wet canteen facilities exist there at the present time and the residents of the district must either obtain their liquor in bulk or do their drinking in other districts. The management of the company believes that this state of affairs is undesirable because it involves not only the employees of the refinery, but all the residents of the district, in some expense and inconvenience. It also feels that such conditions might even tend to encourage excessive drinking. From the company's viewpoint, however, it naturally wishes to provide all the amenities possible for its employees, particularly to see that they have proper facilities for a refreshing drink when the work of the day is ended.

The company has been at some pains to make its employees comfortable and happy on the job and it feels that this additional facility or amenity is very necessary to enable it to fulfil its obligations to the men. It is hoped that before long an application will be made by somebody for a provisional certificate for a hotel at Kwinana. In the ordinary course it would take some time before the hotel could be built and in the meantime the construction work is to proceed.

Under the Licensing Act no publican's general licence can actually be granted in respect of any hotel until a proper building has been erected with adequate provision for accommodation for guests, etc., and, in fact, no publican's general licence would be granted by the Licensing Court until the proposed licensee has all the necessary furniture, equipment, bedding and staff to provide immediate accommodation for guests after the granting of the license. Because of this the Government agreed with the company that pending the erection and licensing of a standard hotel a wet canteen should be provided for the convenience of the local residents, particularly for the convenience of the men engaged on the refinery.

However, no provision exists in our laws such as are included in the New South Wales liquor laws for the granting of a licence in respect of a wet canteen. It is necessary therefore either for a special Act to be put through authorising the establishment of a wet canteen or for advantage to be taken of Clause 5 (o) of the agreement between the State and the Anglo-Iranian Oil Refinery Coy. as approved by Parliament by Act No. 1 of 1952. Clause 5 (o) of the agreement reads as follows:—

> That any application under or provisions of this agreement may from time to time be cancelled, added to or varied by an agreement in writing to that effect signed by or on behalf of the parties hereto.

Under Section 2 of the Act the word "agreement" is defined as meaning the agreement just mentioned as that agreement subsists from time to time. Under Section 3 the provisions of the agreement —namely, of the agreement as varied from time to time—have effect as if repeated in and enacted by the Act, and therefore any agreement under Clause 5 (o) has effect as if enacted by Parliament. It would be competent therefore for the Government to make an agreement with the company under Clause 5 (o) without further reference to Parliament. However, it was represented to Parliament by the Minister introducing the Bill for the Oil Refinery Industry (Anglo-Iranian Oil Company Limited), Act, 1952, that Clause 5 (o) was inserted so that provision could be made for matters not foreseen by the parties to the agreement at the time of making the agreement.

The necessity for a wet canteen was, in fact, not considered by the parties at the time of making the agreement. That is very clear. But it is obvious that the provision of facilities for purchasing liquor was a matter that could easily have been foreseen by the parties at the time. It was not foreseen and no provision was made for it specifically and yet it is a matter the need for which could quite easily have been foreseen.

Because of those circumstances the Government had some doubt as to whether this matter of a wet canteen was a fit subject for a further agreement under Clause 5 (o), without further reference to Parliament. Although I am advised it could have been done that way under the agreement and would have been quite legal, in view of the circumstances, the Government has felt that it should not be done under the agreement without further reference to Parliament. It was therefore decided not to finalise the agreement until the feeling of both Houses of Parliament had been tested by resolution. It is intended that the provision of a wet canteen shall be a temporary matter only —namely, until the hotel is erected—and therefore it seemed inappropriate to have a special Act of Parliament to authorise it.

A copy of the proposed agreement, which has already been signed by the Anglo-Iranian Oil Coy. Ltd., and the Australasian Petroleum Refinery Ltd., was tabled in each House of this Parliament last week. The agreement itself, after reciting the need for a wet canteen, goes on to oblige the State to erect one—in accordance with a plan which has been tabled with the agreement—in the business and shopping centre of Medina. It is proposed that the canteen shall consist of a substantial structure, with overall dimensions of 76ft. by 40ft. It will be a timber-framed building on wooden stumps, clad externally with weatherboard and asbestos, and having a roof of corrugated asbestos. It will also have an entrance porch and lobbies on the front of the building, and verandahs, lavatories and staff change-room at the rear. It will include a double-sided bar with approximately 90ft. of counter space, adequate refrigeration for bottled and bulk beer, and an office and lounge.

The agreement then goes on to provide that the State shall appoint a manager to conduct on the premises the trade and business of a person holding a publican's general licence under the Licensing Act in relation to the supply of liquor and liquid refreshments, but the manager will not be authorised or required to provide accommodation or meals. Section 179 of the Licensing Act at present places certain obligations upon licensees conducting State hotels. It has not been possible to incorporate that section in this agreement, because the manager will not be providing accommodation or meals; but in all other respects, the requirements of Section 179 have been repeated in the agreement so far as the manager is concerned.

It is then provided in the agreement that, one week after a hotel is established in the Kwinana district, or on the 1st June, 1956, whichever is the earlier, the authority to carry on the wet canteen shall cease and determine and the State shall wind the business up.

Mr. Lawrence: What is wrong with forcing the management to provide sandwiches or a light meal?

The MINISTER FOR WORKS: Sandwiches will be provided in the ordinary canteen which the company proposes to erect. The date, the 1st June, 1956, is approximately 30 months away. This date was fixed upon as, on the 27th October, 1953, the members of the Licensing Court recommended to the Minister for Justice that the Licensing Act should be amended to provide that when a provisional certificate was granted in respect of a proposed hotel, the premises should be erected within 30 months or the provisional certificate would lapse. The Licensing Court apparently regarded 30 months as a reasonable time within which a hotel should be erected. Therefore the agreement provides that the wet canteen shall not be carried on after the 1st June, 1956, in any event; but if, in the meantime, a hotel is established, then the wet canteen shall close up.

Mr. Hutchinson: Is there anything about Sunday trading?

The MINISTER FOR WORKS: That will come under the ordinary provisions of trading hours. There will be no special dispensation in that respect. It is emphasised that this canteen is proposed to be provided at the request of the company; and if the State should show a loss on the whole of its operations under the agreement, the company agrees to bear that loss up to a maximum of £7,000.

It is estimated that if the new hotel is established within 15 months, the State will incur a loss of approximately £7,000. If, however, the hotel is not established within 15 months, the loss on the whole operations of the State under the agreement should become less and less as time goes on. We have had the advice of men engaged in the trade—the officers of the State Hotels Department—and they feel that a loss will be sustained up to an amount of approximately £7,000 if the canteen operates for a period of only 15 months.

Hon. A. V. R. Abbott: That is a capital loss.

The MINISTER FOR WORKS: Yes; because there is the cost of installing refrigeration, and the initial cost of erecting the place. There would not be time to recover that expenditure in 15 months; but the longer it goes beyond that period, the less will be the loss, because of the increased takings. When the building is subsequently demolished, as it will be, the refrigeration plant in it can be utilised in the proposed hotel, so that will not be a dead loss. There will be some depreciation, and some cost incurred in shifting it. Some materials will be so depreciated that there will be a considerable fall in value. However, it is expected that a loss of about £7,000 will be sustained in a period of 15 months, and the company has guaranteed to make up that deficiency. That is an indication, if a further indication were necessary, that the company believes very much that this amenity is a necessity. It would not willingly be prepared to pay £7,000 to satisfy a whim or fancy. As it is prepared to pay up to £7,000 to make good the loss sustained in the business, it must feel very strongly the need, in the interests of the settlement and the works, for this amenity to be established in this way.

Hon. D. Brand: What is the estimated cost of the proposed building?

The MINISTER FOR WORKS: I cannot tell the hon. member offhand. I did know, but it has gone out of my mind. I am sorry I cannot supply the information now, but I can easily give it to the hon. member later. The State should not incur any financial loss as a result of entering the agreement and carrying out its provisions. In the meantime, however, the wet canteen will provide all residents of Kwinana with a necessary amenity.

At this stage, I propose to read to the House a copy of the letter that the Government received from Mr. A. E. Mason, the managing director of Australasian Petroleum Refinery Ltd. on this subject. The letter is addressed to Hon. A. R. G. Hawke, Premier of Western Australia, and is dated the 12th November, 1953. It is as follows:—

> The purpose of this letter is to confirm the request of my company that the State should, as early as possible, provide in the Kwinana area temporary facilities for the purchase of liquor by local residents generally, but particularly, so far as we are concerned, by our employees, and those of our contractors.
>
> No such facilities are at present provided, and we understand that no hotel, in respect of which a publican's general licence could be granted, is likely to be built for a considerable period. In the meantime, Kwinana residents who desire to purchase liquor must either buy in bulk or visit hotels in other districts. This will involve local residents in some expense and inconvenience, and my company is particularly concerned with the possibility that, unless temporary facilities are so provided locally, we may experience difficulty in retaining regular and satisfactory employment in the construction and establishment of the oil refinery.
>
> We now therefore formally request the Government to provide the desired facilities as a temporary measure or amenity, pending the erection of a fully licensed hotel. We have in mind that the necessary facilities could best be provided in the Medina shopping

and business centre and in a timber-framed building having overall dimensions of not less than 76ft. by 40ft.

We understand that in order to implement our request it will probably be necessary for an additional agreement to be made between the State and my company under Clause 5 (o) of the Agreement with Anglo-Iranian Oil Company Limited as approved by Act of Parliament. If so, we earnestly request that priority be given to the preparation and execution of such an agreement so that the facilities now requested may be provided as soon as possible.

The Government is seeking the opinion of Parliament as a result of the strong requests that have been made for the provision of these facilities because, under our laws, we cannot provide a wet canteen; and also, because, although we believe that the agreement already entered into enables us to have a wet canteen established without further reference to Parliament, we are disinclined to establish one in those circumstances as we feel this is a matter in connection with which Parliament ought to express its opinion. So the opinion of Parliament is being sought —we are seeking it in the Legislative Assembly by means of this motion, and a similar motion is being moved in the Legislative Council at the present time.

Hon. A. V. R. Abbott: I take it the canteen will be open to the general public.

The MINISTER FOR WORKS: Yes. The amenity, once established, will not be for the exclusive use of the employees of the company, but will be open, during business hours, to the employees of the company, the residents of the district and any other persons who happen to call in and ask for a drink. The hours will be those that apply under the Licensing Act.

Hon. A. V. R. Abbott: To a publican's general licence, and not a club licence.

The MINISTER FOR WORKS: That is so, the reason being that if it were possible to establish a hotel quickly, or get a hotel licence, that would be done; but there is no provision under the law to enable that to be done, so we are adopting this method. The canteen will conform to the conditions that would apply to a hotel if one were established there. I think I have explained all the relevant aspects of the matter.

On motion by Hon. A. V. R. Abbott, debate adjourned.

BILL—CLOSER SETTLEMENT ACT AMENDMENT.

Third Reading.

THE MINISTER FOR LANDS (Hon. E. K. Hoar—Warren [5.5] in moving the third reading said: During the second reading debate, the member for Stirling pointed out that the parent Act provides for a statutory body which is empowered to do exactly similar work to that proposed by the 1945 amendment which this Bill seeks further to amend. I noticed this fact myself, but too late to do anything about it this year. It seems absurd to have two authorities established under the one Act to do similar work.

However, to make the necessary alterations at this stage would require many amendments, consequential and otherwise, to the Bill—in fact, a new Bill would be required—so I thought the best way to overcome the position would be to have it attended to early next session. I have already given instructions to the Under Secretary to make a full investigation into the Act with the idea of tidying it up so that we shall not have two authorities doing similar work under the one lot of legislation. I hope this explanation satisfies the hon. member. I move—

That the Bill be now read a third time.

Question put and passed.

Bill read a third time and transmitted to the Council.

BILLS (3)—THIRD READING.

1, Diseased Coconut.
2, Hairdressers Registration Act Amendment.
3, Entertainments Tax Act Amendment (No. 2).

Transmitted to the Council.

BILL—ENTERTAINMENTS TAX ASSESSMENT ACT AMENDMENT (No. 2).

Report of Committee adopted.

BILLS (2)—RETURNED.

1, Electoral Act Amendment (No. 2).
2, Veterinary Medicines.

Without amendment.

BILL—BUILDERS REGISTRATION ACT AMENDMENT.

Second Reading.

Debate resumed from 26th November.

HON. D. BRAND (Greenough) [5.8]: The Bill could savour of great controversy. The history of the legislation clearly indicates that on both sides of the House there are differences of opinion—especially when in the distant past, in 1934, Mr. Moloney introduced in this House a Bill which was ultimately defeated in another place. The differences of opinion were also evident when, in 1939, a private member, Mr. Needham, introduced a Bill which was agreed to by the Government of the day, and so became the present Act. This legislation is typical of Western Australia and does not exist in any other State.

While I was Minister for Works, requests were made by the New South Wales Government for information about our Act. Evidently the Government there felt that some protection should be given to people who were building homes, and it wanted to know how Western Australia provided that protection per medium of this particular Act. What has been done in New South Wales since, I do not know. It seems that the Government there has its hands full with controversial legislation, anyway.

The measure, as it now stands, applies only to the metropolitan area, which is defined in the Metropolitan Water Supply, Sewerage and Drainage Act. It covers an area radiating approximately 25 miles from the heart of the city. I am given to understand that the boundary runs through the middle of Kalamunda and extends to the south almost to Safety Bay. Much building activity and development has taken place in both those districts in the last few years. It might be said that an anomalous situation has arisen whereby on one side of that boundary the home-builder would have to conform to the restrictive provisions of the Act and, on the other side, he would be free of such restrictions.

I recall that during the three years I was Minister for Works, certain representations were made by the registered builders in the country asking that the same provisions be extended to building in country districts, because the reasons given by the member for Perth when he originally introduced the Bill, applied to the country areas, and because a number of jerry-builders, as the late Harold Millington referred to them, were active in the country. As a result, people in those districts were being taken down and really had no protection under the Act.

The minor amendments here include an increase in the allowance made to board members. In view of the general development in rising costs over the years, and the fact that the board has great responsibility, and a lot more work is done by the individual members per medium of inspections, we raise no opposition to the proposed increase. Again, the suggested increase in the actual registration fee charged to the builders is quite acceptable to us as it is acknowledged that it is far more costly to run the board at the present time than it was previously, and that quite a deal more building is now going on. It is evident that unless the increase is approved by Parliament, some approach will be made to the Treasury if the provisions of the Act are to continue. Therefore, we have no objection to this provision.

The Minister explained that the main amendment—or what I consider to be the principal amendment—is that by which it is proposed to allow builders, under conditional registration, to build houses or erect buildings to the value of £4,000. In view of the fact that the Builders Registration Board has agreed to the proposal, I do not think opposition can be raised to it. I am glad, however, that where the builder is permitted to erect a structure the board is to have some supervision, because even today a £4,000 building is quite a large one. If the Act is worth while keeping on the statute book, the board should have authority to inspect and maintain the protection that has existed in the past for the purchaser or home-builder.

A further amendment proposes that builders from overseas should be allowed registration providing they pass a test laid down by the board. I notice that the legislation does not stipulate what the examination is to be, that being left entirely to the discretion of the board. I have not been able to ascertain what number of builders from overseas will be affected but I do not think the number would be large.

A controversial point arises inasmuch as the Bill points out that a builder elsewhere than in the State can present himself to the board for registration and although he will not be expected to pass the examination and tests that have existed, the board shall have authority to register him providing he can satisfy it that he is a competent builder. I have no doubt he would have to pass a practical test, but I am wondering whether the builder from Kalgoorlie, Albany or some other centre outside the metropolitan area should not be allowed the same privilege.

If a man from Victoria, overseas or elsewhere is to be given the privilege of putting himself forward and being registered, provided he is a competent builder, complies with the wishes of the board and is a man of character, surely the same privilege should be extended to the builder in some centre in Western Australia outside the metropolis. The argument against that, as I see it, is that it breaks down the principle of the parent Act.

When introducing the original measure Mr. Needham said—

> The underlying principle of the measure is to ensure that those engaged in the industry shall be competent.

If we are going to extend the authority of this legislation to all builders outside and within the State who are able to pass a practical test, I feel that the time has come when we should lower the standard laid down by the original legislation and give every builder or contractor the opportunity of presenting himself and complying with a lower standard as set by the board. I am prepared to support the Minister in this move to widen the scope of a measure which a Government of his political

colour agreed to in the past. I think the time has come when there is certain discrimination in evidence and it is my belief that we should give this proposal a trial only and review it next year.

I am informed that at present there are between 700 and 800 registered builders in the State and I assume that they have all been compelled to pass the test laid down. If, as has been suggested, we should allow builders outside the metropolitan area the same privilege as the measure seeks to extend to those from overseas, it is not quite fair or equitable that, from this point onwards, they should be able to trade in the same way as those who, perhaps, put themselves to a great deal of hardship, worry and study to obtain registration.

When the late Harold Millington as Minister for Works supported Mr. Needham, he put up the argument that this registration was something to be sought after and prized, but in later years, as a result of the war and labour difficulties, I am not sure that it has been looked upon in that light. On the contrary, it has been something of a restriction on the competent builder who really wanted to get out and erect buildings.

In answer to a question by the member for Canning the Minister for Works pointed out that before registration a builder was required to pass an examination in subjects such as building construction, building construction drawing, quality and pricing, builders' organisation and planning, bookkeeping and costing. I should say that included in those subjects would be quite a lot of technical matter, but the Minister has not said—perhaps he has not been advised—what class of examination is intended to apply to builders from outside under the amendment contained in the Bill.

We have not been informed whether it is merely to be a practical test supported by references as to past experience, character, etc. It would be interesting to know the answer to that question because that is a controversial point that arises in relation to the Bill. If the authority of the Act is to be extended throughout the State, the cost of supervision will be such as to force the registration fee up considerably even though a few more builders may be brought within the jurisdiction of the legislation.

One can envisage that the supervisors and inspectors travelling to country towns to inspect houses or buildings would increase considerably the cost of administration and in view of the fact that we have gone so far without any real inconvenience, I do not propose, as yet at all events, to support any extension of the influence of the Act. The other States have evidently made progress with no such legislation on their statute books. I would like to hear the Minister reply on the few points I have raised because the principle is one that could create a deal of controversy inasmuch as it would bring about a position that would not be equitable as it affected builders or contractors from overseas and those outside the State and within it. I support the second reading.

MR. JAMIESON (Canning) [5.25]: This Bill proposes to extend the scope of the Builders Registration Board in order to allow certain persons who are not fully qualified to operate in the building sphere, thus widening to a degree the provisions under which the competent tradesman has been allowed to operate in this trade in the case of small buildings—mainly cottage work—as anything costing over £4,000 would no longer remain in that category. I find that under the original Act those exempted from the necessity of obtaining registration include various people who are not generally considered to be competent members of the building fraternity.

As an instance, anyone who is a member of the Australian Institute of Mining and Metallurgy is exempted from the provisions of the original Act. The proposal to register conditionally those that the board deems to be satisfactory is a step towards assisting a number of men who could help to alleviate the shortage of housing. One point that worries me is that the constitution of the Builders Registration Board is, in the main, of a highly professional nature.

I feel that the Minister could have gone further in this Bill—particularly as it seeks to make provision for tradesmen to operate in the building sphere—in order to provide for a representative of the building trades on the registration board. At present that board consists of the President of the Royal Institute of Architects, the Principal Architect, who shall be chairman, a representative appointed by the Master Builders Association of Western Australia and a representative appointed by the Western Australian Builders Guild Incorporated.

It will be seen that the present constitution of the board is highly loaded against anyone wishing to operate under the set-up proposed in the Bill. It could be made very awkward for anyone that those highly professional men desired to keep out of this line of business. They might well consider that the applicant was a person likely to take some share of the construction work available in the community.

Hon. J. B. Sleeman: It is at present a very close preserve.

Mr. JAMIESON: That is so. I commend the Minister on desiring to widen the scope of the Act a little. However, if the legislation is to be continued, I feel that the whole State should be covered. My reason for that is that if decent building standards are to prevail in the metro-

politan area, they should obtain also in country districts even though the administration might be somewhat more costly.

Hon. D. Brand: "Somewhat" is a grave understatement.

Mr. JAMIESON: That may be so. It is up to the hon. member to justify his statement in that regard, but it is my belief that some of those at present registered by the board are not capable of building a hen house for him, and I have seen some of their work, whereas some tradesmen, due to lack of scholastic ability, have not been able to pass the examination and obtain registration although they are capable of erecting an almost perfect dwelling. Many returned soldiers were unable to take advantage of the provisions in the Act enabling anyone operating as a builder prior to its passing to be registered as a master builder. Some of those men who were so registered had done quite a deal of building, while others had not. In the main, however, builders could not pass the examination set and as a result, they relied entirely upon their tradesmen to do the work, thus enabling them to remain in the industry.

The member for Greenough also mentioned the possibility of builders from overseas coming to this State seeking registration. He considered that this was, to some degree, dangerous. I would like to draw his attention to an instance in that regard. When I was a trainee under the rehabilitation scheme, I was under a man who had obtained registration as a builder under the United Kingdom Builders Registration Act, which is considered to be one of the most exacting pieces of legislation of its kind in the British Empire, and yet he was not eligible for registration as he could not pass the examination that is set in this State.

Hon. D. Brand: I did not say it was dangerous. I said it was not equitable to those builders outside the metropolitan area.

Mr. JAMIESON: I may have misunderstood the hon. member's statement to some degree. Many builders have been unable to obtain registration because they could not pass the examinations set in other countries and in other States. It seems to be the considered opinion that to obtain a high standard, subjects such as bookkeeping, builders' organisation, and builders' plans and by-laws should be included, and that, if it is thought necessary to prevent some men from passing the examinations, a subject such as the knowledge of by-laws can be set.

As everybody knows, there are a great many building by-laws to be learnt. I am aware that the Act provides that any registered builder shall have a full knowledge of the by-laws, but I am quite sure, especially when the building trade is not so prosperous as it is now, that many of these builders who are registered will be continually harrassed in regard to by-laws. This also could have some effect on the men who have only temporary registration. I support the second reading of the Bill, but I hope that in the near future, perhaps in the next session, the Minister will give consideration to bringing down further amendments to the legislation or, if he considers it unsatisfactory by that time, that he will have it eliminated entirely from the statute book.

MR. J. HEGNEY (Middle Swan) [5.35]: The reason why the parent Act was introduced during the depression years was to prevent what were known as men of straw from entering the industry. For example, it was found that, in many instances, builders were engaged to construct a home but were unable to finish it because of lack of finance. At that time, the member for Subiaco, the late Mr. Moloney, who was assocaited with the building industry, initiated the legislation.

As the member for Greenough has pointed out, there has been a divergence of opinion among members on both sides of the House. I am glad the Bill seeks to widen the scope of the Act in order that those people who are competent to build may be given an opportunity to sit for the examination set by the Builders Guild. I remember making representations to that guild on behalf of a man who is a builder in my district. He was a very competent tradesman, but unfortunately he was unable to obtain registration. Today he is employed as a foreman, but he is unable to pass the theory papers that are part of the examination. Nevertheless, he is quite competent to build an excellent home.

It is a well-known fact that, during the postwar years, all types of workmanship, carried out by registered builders, were accepted. Those members who want some idea of what did happen in the immediate postwar years, need only refer to the report submitted by the Royal Commission on the operations of Snowden & Willson Ltd. The way that firm exploited many people in the metropolitan area was outstanding. It added substantial sums to its original contract price to such an extent that people did not know where they stood. It is also known that other builders were apprehensive about the terms of the Royal Commission being extended so that inquiries could be made into their operations. Although Parliament has endeavoured to prevent people being robbed by unscrupulous persons, it has not altogether prevented that from happening.

As the Minister has explained, the purpose of the Bill is to give an opportunity to people from overseas and other States to enter the building industry in this State, particularly when they have been master builders prior to coming here. I am also

pleased that the Bill will give our own tradesmen an opportunity to become registered builders if they so desire. To date the by-laws of the Builders Guild have been too rigid. Many tradesmen have found it difficult to pass the examinations set by the guild, although the object of that organisation in trying to keep the standard as high as possible, is extremely laudable, particularly in ensuring that young men obtain the required skill to become competent contractors. There is no question that the Builders Guild has done an excellent job in that regard. I am sure that when the Bill is passed, it will have the effect of easing the present conditions and Parliament will be able to review the position in the next 12 months to see what effect the legislation has had.

THE MINISTER FOR WORKS (Hon. J. T. Tonkin—Melville—in reply) [5.39]: I thank members for the reception they have given the Bill. There has been only slight criticism of it and it appears that members generally are prepared to support it. The member for Greenough drew attention to the fact that there is a certain inequality existing between those builders already operating in the State and builders who will be afforded an opportunity of becoming registered who are now out of the State and who, if successful in passing a practical test, will qualify for registration.

If the member for Greenough had perused the Bill more closely, he would have realised that that inequality does not actually exist. When the original Act was passed in 1939 it provided that persons already in the State who were engaged in building, should have an opportunity of becoming registered if they exercised their option within six months. The relevant section reads as follows:—

> Any person, not being a company or any other body corporate, who applies to be registered under this Act shall be entitled to be so registered if and when—
>
> (b) he has satisfied the board that he—
>
> (iv) (a) has completed the prescribed course of training and has passed the prescribed examinations; or
>
> (b) subject as hereinafter provided had, at the time of the passing of this Act been trading as a builder or had had been a supervisor of building work for not less than two years and is competent to carry out and supervise building work.
>
> Provided that the alternative contained in this subparagraph (b) shall not be a qualification for registration under this Act after the expiration of six months next following the date of the commencement of this section.

So there was the opportunity for people already in the State, who were engaged in building, to obtain registration without passing an examination, by asking for it within six months. That opportunity was not available to people oversea or in other States who, at the time, had no reason to believe that they were coming to Western Australia. Therefore, our local builders had an option which builders outside did not have. This amendment simply extends to those builders from oversease or other States an opportunity to gain registration in this State under somewhat similar conditions to those which existed when the Act was first introduced and which applied to local builders. Thus the element of inequality is really not there because since the passing of the Act our local builders, knowing the requirements of the Act, although they may have been new builders in the industry, have had the opportunity of learning the subject and passing the examinations as they ought to do, otherwise there is no point in having legislation for the registration of builders.

Hon. A. V. R. Abbott: Do you not think that 10 years of practical training might have been accepted?

The MINISTER FOR WORKS: That introduces an entirely new idea. I am now dealing with the suggested inequality as existing between builders in the State and those elsewhere. To me no such inequality exists, because local builders did have an opportunity of becoming registered if they were, in effect, practical builders and sought registration. However, at the time this Act was passed, there were a number of builders outside this State, in other countries and in other States who, at the time, did not know that they were coming to Western Australia. They practised their trade or profession in those other countries and States and they are completely competent.

Now, when they come to Western Australia it is proposed to ask them to pass an examination; something we did not ask our own builders to do at the time this Act was passed. Therefore, the Bill seeks to remedy an inequality, not to create further inequality. I do not think it would be sound to extend to local builders now the chance of becoming registered without passing an examination. If we did that, we would break down the standard which the Act purports to keep up and it would be an argument for the repeal of the Act completely.

Hon. A. V. R. Abbott: I do not agree with that entirely, although I agree it is another point. There are some men who are extremely practical and efficient in their work and yet are weak academically.

Mr. SPEAKER: Order!

The MINISTER FOR WORKS: The member for Mt. Lawley certainly has a point. I can quote a number of instances where practical men are first-class tradesmen, but so far as theory goes their knowledge is not of much account. They cannot pass examinations. Fortunately such persons are in the minority. Usually a qualified tradesman in these days has had all the facilities for learning the theory of his trade and has received his practical training in his work. He has gone through an apprenticeship and he has received theoretical training at the Technical College. If he is a man of some intelligence, he ought to pass the examination. Dozens of tradesmen are doing this.

Hon. J. B. Sleeman: I know engineers today who cannot pass an engine-driver's examination.

The MINISTER FOR WORKS: I think the hon. member is referring to 30 or 40 years ago.

Mr. Andrew: It is reckoned that the average builder could not pass the existing tests.

The MINISTER FOR WORKS: The facilities for education are very much more widespread today than they were 20 or 30 years ago, so that it is easier to pass examinations today. Let us take, as an example, the teaching profession. Thirty or 40 years ago the Education Department used to admit a grade of teacher known as "unclassified;" those teachers were not capable of passing the "C" certificate, yet we had many such teachers who proved excellent instructors. The department in those days did not hesitate to admit them, and continued to employ them.

With the improvement in educational facilities throughout the State, with a higher standard of primary education, with widespread provision of secondary education, the opportunities to become qualified became much easier. It is an exception today to find an applicant for a teaching position who has not passed the Junior or Leaving examination. A similar position exists in other professions or trades. With the provision of technical education, and the higher standard of tutors it is a much easier matter to qualify in a trade than 30 or 40 years ago.

One of the purposes of the Bill is to extend to competent builders from outside the State, an opportunity, which had already been made available to builders within the State, to obtain registration. We have instances of men from outside the State who had erected thousands of houses and who are in charge of very big building projects involving hundreds of thousands of pounds, not being able to register because there is no discretionary power under the Act to admit them. Beyond any shadow of doubt the Builders Registration Board would have exercised a discretion in their favour and approved the registration of a number of these outsiders.

The amendment will make it possible for the Builders Registration Board to submit applicants to a practical test to satisfy itself that the applicants know all the facts they ought to in regard to building, and it could dispense with the technical side of the examination. Upon reflection, the member for Greenough will appreciate that there is no such hardship on local people. Local builders have had the opportunity to become registered.

Since the passing of the Act they could have availed themselves of the facilities to enable them to qualify in the usual way. That is the main point of criticism of the Bill. Generally, the member for Greenough and the member for Canning approve of the effectiveness, and the liberalisation of conditions for builders outside, while admitting there should be a maintenance of standards in order to ensure quality of workmanship in the houses erected.

Question put and passed.

Bill read a second time.

In Committee.

Mr. J. Hegney in the Chair; the Minister for Works in charge of the Bill.

Clauses 1 to 6—agreed to.

Clause 7—Section 10 amended:

Hon. D. BRAND: I do not propose to move an amendment, but merely to emphasise that where the clause states, "builder elsewhere than in the State," whilst the intention was explained by the Minister, it still leaves some doubt in my mind as to its equity.

The Minister for Works: How can provision be made to meet that objection without removing the standard completely?

Hon. D. BRAND: That is the point, and that is the only reason why I am not moving an amendment to eliminate those words. When the Act was introduced in 1939, a period was allowed for builders and contractors to register, but years have gone by and surely we can understand the conditions and circumstances of the builders in the country. They live well outside the metropolitan area and do not have the opportunity of studying and passing the necessary subjects laid down by the Builders Registration Board.

A builder in the country can be quite as competent and efficient as the builder who comes from overseas, yet the former will have no opportuntiy of registering at any time that we can envisage. That is a point to which we should give some thought. As the Minister pointed out if any amendment is made, we break down the standard that is set by the Act. I wonder are we doing the right thing by amending the Act to admit just a few builders who come from overseas?

There is yet another point to be considered. I am told that there are quite sufficient builders and contractors to meet the demands of the State. The problem is the insufficient numbers of tradesmen. I would point out that that position still exists. I am not opposing the clause because I think it should be given a trial.

Clause put and passed.

Clauses 8 to 14, Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—ABATTOIRS ACT AMENDMENT.

Message.

Message from the Governor received and read recommending appropriation for the purposes of the Bill.

Second Reading.

Debate resumed from the 26th November.

HON. L. THORN (Toodyay) [5.57]: The Bill deals with two amendments, one to place the Controller of Abattoirs on to the board, and the other to make provision for a representative of the Meatworkers' Union on the board. In introducing the Bill the Minister stated last week that Mr. Rowland, who is Controller of Abattoirs and manager of the Midland Abattoirs, controlled all the abattoirs within the State. That is far from correct. As a matter of fact, a Treasury official manages the meatworks in Fremantle while Mr. Farrell manages the abattoirs at Wyndham. As far as I know, the present Controller of Abattoirs is only in charge at Midland Junction.

When I interjected saying that the Controller of Abattoirs was not overlooked when the board was appointed, I want to assure him that the controller was definitely not overlooked because the McLarty-Watts Government agreed that it was inadvisable to appoint a chief executive officer to a board of control. I say to this House that it is most inadvisable Here we have in the Controller of Abattoirs an efficient man in his executive position. I say that the chief executive officer should be treated well by the Government as far as his position warranted, but to place him on a board of control is only placing in the hands of that officer, authority whereby he can dictate to the board of control and whereby he can dictate to the management. This would mean the weakening of the control of abattoirs.

Through the ages it has been found advisable to confine the activities of a chief executive officer to his own position. This makes for greater efficiency, and he is always available to give advice to the board. I know from experience that the Abattoirs Board is always prepared to accept any worthwhile advice that he may tender. To give him a seat on the board, however, would weaken the whole system of control.

A point mentioned by the Minister was that the board had been appointed only last year and that it was as yet too early to comment upon the value of its work. I agree with that statement wholeheartedly. It is also too early to alter the composition of the board. We should give the board of three an opportunity to prove its worth in the control of the abattoirs. If, in the opinion of the Government, the board's control then lacked efficiency, provision could be made for additions to the personnel of the board.

I repeat that to give the manager and controller a seat on the board would be a mistake from the point of view of efficiency. I strongly urge the Minister to consider the advisability of adding a representative of the W.A. Livestock Salesmen's Association to the board instead of the controller. Members of the association have a wide experience in the handling, marketing and slaughtering of stock, and a representative could be of great value in assisting the board to arrive at a decision on matters of control. I have no wish to repeat myself because to do so would be contrary to Standing Orders, but I hope members will agree that in order to get the greatest efficiency in the management and control of the abattoirs, the chief executive officer should be a servant of the board. On the other hand, to place him on the same footing as other members of the board would weaken the whole control.

The other amendment proposed by the Bill is to provide for the appointment to the board of a representative of the Meat Industry Employees' Union. I do not strongly oppose that step, but I do not see any necessity for it. However, similar provision has been made on other boards, and if it is the wish of the Government to have a representative of the union on this board, I shall not strongly object.

Mr. Yates: Should not he represent all those who work at the abattoirs and not merely members of his union?

Hon. L. THORN: He should not be an executive officer of the union; he should be a man with a good all-round knowledge of the industry from the point of view of the workers.

Mr. Yates: I would not object if he representated all the operatives.

Hon. L. THORN: I agree with the hon. member. The appointee should be a man having a full knowledge of all sides of the industry from an industrial angle. I repeat that I cannot see the necessity for such an appointment because the unions can always have a voice in any industrial dispute or in the discussion of any unsatisfactory conditions that may exist. I know from experience that the great desire at the abattoirs has been to keep the work running smoothly. The unions have occupied a very strong position and were not by any means left out in the cold where matters affecting working conditions were concerned.

Personally, I regret that the Government has seen fit to propose these amendments. Every Bill that the McLarty-Watts Government refused to introduce has been introduced by the present Government this session. This may have been done for reasons of popularity, but the fact remains that it has been done. I am amazed that the Government did not permit the board to operate a little longer before setting out to amend its constitution.

The Minister for Agriculture: Was your Government asked to bring in a Bill like this?

Hon. L. THORN: It was suggested that we should provide for the controller's having a seat on the board, but we would not agree.

The Minister for Agriculture: And a representative of the Meat Industry Employees' Union?

Hon. L. THORN: I see what the Minister is driving at. We were asked by the different interests to have a board of control, which we agreed to, but we would not agree to the inclusion of the controller on the board. Consequently, I must oppose the provision for his having a seat on the board because I believe it would militate against efficient control. I have no objection to a suitable representative of the union being added to the board.

MR. BRADY (Guildford-Midland) [6.9]: I wish to compliment the Minister on having introduced amendments to the Act at this early stage. I recollect that this was one of the measures that the present Opposition rushed through in the dying hours of last Parliament. The then Government was so keen to get it passed that, though it was introduced at 9.30 p.m. on the 9th December, the second reading was proceeded with at 3.25 p.m. on the following day. I have good reason to remember that because, as soon as the Bill was introduced, I sent out four or five copies to people who were interested.

When the Minister moved the second reading, I appealed to him to defer the Committee stage in order that people who would be affected might have an opportunity to state their views. He agreed to do so, but later proceeded with the Committee stage and the Bill was virtually rushed through this House inside of 24 hours.

The Premier: Bulldozed through this House.

Mr. BRADY: Yes. I wonder whether the Minister was so concerned about the interests of the consumers. When he moved the second reading, he admitted having regard to representation by the meat interests, but the interests of the consumers, in my opinion, were not greatly considered.

Hon. L. Thorn: They have a representative on the board.

Mr. BRADY: Yes, an accountant, and I should like to know how many times he has conferred with the consumers, especially the workers on the basic wage and not in receipt of a margin. However, I wish to revert to the gravamen of the Bill—the appointment of the controller to the board. When I spoke on the subject 12 months ago, I expressed the opinion that a board was unnecessary, and I am still of that opinion. I also said that if there was to be a board, the controller should be a member of it, but I still thought that the whole management could safely be left in his hands.

I quoted the case of the railways which, for 25 years, had been controlled by one commissioner who also controlled the tramways and ferries, representing in all a capital investment of £30,000,000. The Government of the day, however, decided that the abattoirs, representing a turnover of £150,000 or £170,000, must have a board. Thus there was entailed unnecessary expense which in my opinion was not warranted at that time and is not warranted now. In fact, the sooner the Government amalgamates some of the boards, the better it will be for the public.

Mr. Nalder: Are you opposing the Bill?

Mr. BRADY: Since the Act already provides for control by a board, I consider that the Minister is doing the right thing by proposing the appointment as a member of the board of the only man who knows anything about the running of the abattoirs, namely, the controller. Other members of the board represent the producers, the consumers and the wholesalers, but they know nothing about the running of abattoirs. The only man who has this practical knowledge is the one who has been left off the board.

I had not met the controller when I spoke in the House last year, but my observations and the fact that peace prevailed in the industry convinced me that he must be a very capable man. I have met him since on several matters connected with abattoirs—not with this Bill —and I am satisfied that he handles his

job very efficiently. I am glad that the Minister appreciates the controller's capabilities. Had he not been appointed to the board, the State would have lost one of its most capable servants in that particular line, and I consider that the board will be all the stronger for his having a seat on it. He will be able to assist the board in many ways in the interests of all concerned in the meat industry.

Furthermore, I am pleased that the Minister is following modern trends—overseas as well as in Australia—by acknowledging that employees contribute no small part to success in industry. The fact that the Minister proposes the appointment of a member of the Meat Industry Employees Union is commendable and will have my support, although I agree to some extent with the interjections of the member for South Perth that it would be better to have a man representing all the unions. However, as a majority of the employees are members of the Meat Industry Employees Union, I cannot see that any harm will be done by appointing a representative of that body to the board.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. BRADY: The member for Toodyay said that he did not altogether oppose the idea of employees having a representative on the board; but he inferred that the employees would be in a fairly good position so far as wages and conditions were concerned. Apparently, the member for Toodyay has not spent much time at the abattoirs.

Hon. L. Thorn: I did not say that.

Mr. BRADY: But that was the inference.

Hon. L. Thorn: That is what you are inferring. I said they could look after themselves; they are quite capable of doing that.

Mr. BRADY: The point is that if a person heard the member for Toodyay speaking along those lines, he would get the idea that the conditions of workers in this industry are good; the hon. member's remarks could be used in the Arbitration Court in an effort to try to reduce margins and conditions. I do not envy these men the jobs they have. I know that there have been times when efforts have been made, through the Arbitration Court, to reduce the margins and rates of pay applying to these men. But after the Arbitration Court has heard the case and viewed the conditions it has said that the men are entitled to the rates of pay they are receiving and, at times, the court has suggested that those conditions could be improved.

The conditions under which the men work are obnoxious. There are all sorts of smells at the abattoirs and there is blood and offal all over the place; and at times men receive lacerations while slaughtering. When that happens the men have to be taken to the doctor to be treated to prevent tetanus. In the past, the change rooms and showers and the general conditions at the abattoirs have not been the best, and those engaged in the slaughtering industry earn every penny they receive.

Mr. Lawrence: What about the danger aspect, too?

Mr. BRADY: That is so. These men have to handle stock, and sometimes there is danger from a half stunned beast in the slaughtering box. I am not worrying about what happened in the past; I want to know what the board intends to do in the future to look after these workers, particularly the apprentices and junior workers. Frequently a man who is on low wages finds that his son is employed at the abattoirs as a junior worker or apprentice, and the conditions there are not the best for a youth. So I would like the board to consider the provision of amenities such as are provided in some of the big firms in Perth.

A library and reading-room could be provided, so that the employees could use them prior to starting work, during their lunch-hour, or after work, if necessary. In addition, I do not think it would be unreasonable to suggest the provision of recreational grounds, such as tennis courts, basket-ball courts, and so on. When men are working in a slaughterhouse for four or five hours a day, they are entitled to some form of recreation. Finally, I hope the board will give consideration to that aspect and in the future up-to-date facilities will be provided for the employees in this industry. I have much pleasure in supporting the second reading.

MR. NALDER (Katanning) [7.37]: One would think, from the remarks of the member for Guildford-Midland, that the conditions of the men employed at the Midland Junction abattoirs were appalling. Not long ago, I had an opportunity of going through those abattoirs and I inspected the change-rooms and other facilities; I found them to be second to none in this State.

Mr. Brady: Did you go to the change-rooms and shower-rooms?

Mr. NALDER: Yes.

Hon. L. Thorn: They are lovely; they are new.

Mr. NALDER: They are very good, and I compliment the Government responsible for establishing those amenities. But to get back to the Bill. First of all, the proposal to appoint a union representative on the board is one to which there could be no real objection. Such a representative cannot do any harm and possibly will be able to put forward suggestions to improve the amenities and facilities available to these men who are playing an important part in the slaughtering industry.

Mr. Ackland: Will it improve the outturn?

Mr. NALDER: The present conditions are to be altered when the new abattoirs come into operation. At the moment, the abattoirs are conducted on the solo system under which the wholesale butcher has his own slaughterman. But the new scheme will provide for the use of a chain system. This system is in use at Robb's Jetty and may tend to increase the efficiency of the abattoirs. At present, I understand that, so long as a slaughterman kills and dresses so many sheep or bullocks, whether it is done in four, five or six hours, he has done a day's work. So I am a little doubtful as to whether the improved facilities will tend to increase production, as the member for Moore suggested.

A different set of circumstances exists as regards the proposal to make the controller a member of the board. At present, that person is a permanent public servant and he is the chief administrative officer. That is not the case with the present members of the board. They are elected every five years, and by the amendment of last year any one or all of these members can be removed from the board at short notice, for the following reasons:—

(i) Is absent from his duties for a period of at least one month without the written consent of the Minister.

(ii) Becomes of unsound mind, or is declared, under the provisions of any law for the time being relating to mental infirmity, incapable of managing his affairs.

(iii) becomes bankrupt or avails himself as a debtor of a law for the relief of bankrupt debtors.

(iv) Resigns, attains the age of sixty-five years, or dies.

(v) Without the written consent of the Minister participates or claims to be entitled to participate in the profit or in a commission, benefit, or an emolument, arising from any contracts or agreements made by or on behalf of the board.

(vi) Is guilty of misbehaviour or of incapacity.

So members can see that the term of office of any member of the board can be terminated at short notice, and for a number of reasons.

But a different position arises in regard to the controller. At present, he is the chief executive officer and is responsible to the board for the efficient conduct and operation of this large undertaking. If anyone disagrees with the ruling or views of the controller, he can appeal to the board and have his complaint, whatever it may be, heard by that body. But if the general manager becomes a member of the board, a person who has a complaint against a ruling of the general manager will have to appeal to a board of which the general manager will be a member.

The Minister for Lands: But he will be only one member of the board.

Mr. NALDER: Yes, but it will be like Caesar appealing to Caesar.

The Minister for Lands: No, there would be five Caesars in this case.

Mr. NALDER: As I mentioned in reply to an interjection by the member for Moore, there will be a complete change in the system of slaughtering at the Midland Junction abattoirs. The chain system is to be introduced to take the place of the solo system whereby the wholesale butchers employed their own slaughtermen. When this changeover takes place I think there may be times when perhaps the slaughtermen will disagree with the rulings of the controller; perhaps the wholesale butchers will disagree with those rulings and even the stockmen will have disagreements. Would it not be far better if when they had those disagreements with the controller, they were able to go to the board and voice their disagreement and have it heard by a body, of which the controller is not a member?

Let us take, for argument's sake, the Meat Industry Employees Union. If some of its members have a disagreement and take the matter to the controller and they are not satisfied with his decision, would it not be better if they were able to go to an independent board and lay their views before it and have a decision reached by that board? It might uphold the controller's views or it might not. The issue might involve merely a difference of opinion and therefore I think that if the board found itself in disagreement with the controller, the other members of that body would be in an embarrassing position if they had to disagree with one of their number.

I am not referring to the present controller when I say that the conduct of the general manager of the particular undertaking may be queried, or his decision overruled by a majority vote taken by the full board at its meeting. The amendment introduced by the Minister, if it becomes law, will no doubt make the controller a member of the board. He may prove to be inefficient; he may not be able to handle this large undertaking; he may not be able to control staff, and yet he is appointed as long as his term of office continues as Controller of Abattoirs, as a member of the board.

To my mind, it is a very unsound proposition and I feel that in order to have the work of the abattoirs carried out in an efficient manner the controller should remain as general manager and chief executive officer and should not be a member

of the board. I agree with the proposition put forward by the member for Toodyay. I think the other representative could be a member of the W.A. Livestock Salesmen's Association. That body comprises the large stock firms operating throughout the State, which have their fingers on the pulse of the trade and know all about the supply of stock. They are interested in the transport of stock both by rail and road; they know the conditions that exist in the yards at Midland Junction and are interested in the disposal of skins and hides. They are also interested in the disposal of offal.

Accordingly, I think it would be quite within reason for the Minister to consider the appointment of one of these men representing the association as a fifth member of the board. It would then make a well-balanced board; it would have all interests capably catered for. The general manager's position is safeguarded; it is secure; he is appointed by the Government. But I believe he should be under the direction of the board and I think it would tend to better efficiency, economy and justice. We should also bear in mind the fact that there is a tremendous amount of money invested in the abattoirs. I do not know whether the Minister could tell the House what the amount is but I believe it is in the vicinity of £1,000,000—or it will be by the time the work is completed.

The Minister for Agriculture: It is a very large sum.

Mr. NALDER: Because of that fact, I think every interested body operating at Midland Junction should be provided for. If the Minister will agree to this suggestion, I have an amendment that I propose to move in the Committee stage. I do not know whether I have mentioned the matter here but the wording of the present amendment does not coincide with the Bill that was passed last session. I think this should be tidied up. I hope the Minister will consider the points I have put forward. I support the second reading.

THE MINISTER FOR AGRICULTURE (Hon. E. K. Hoar—Warren—in reply) [7.51]: I thank members for their contribution to the debate. I appreciate, of course, that there are different points of view, as there must always be on any subject. I would first like to deal with the member for Toodyay. From his reasoning I cannot understand why he personally objects to the appointment of the controller to the board. He says there is no doubt that the previous Government gave very careful consideration to this matter and decided against such appointment or such representation on this board. His opinion is that the controller would be in a position to dictate policy to the board. Of course, that is not so.

If Mr. Rowland, the present controller, were appointed to the board he would be there as a member of the board and not as a dictator. The very people who represent those other interests on the board today would see to it for sure that Mr. Rowland would at no time become a dictator. Because of that, we cannot raise that argument, surely, in support of the suggestion that this officer should not be appointed to the board and give to it the wealth of his experience over a number of years.

The member for Toodyay also said that it was a big mistake from the point of view of business efficiency and that through the ages it has been found advisable to confine the activities of the chief executive officer to his own position. On the basis of that statement, the hon. member opposes the appointment of the controller to the board. He did not raise any other argument save that, and so I take it that from the point of view of debate we must examine the proposition from that angle and from no other.

If we have a look at the actual facts not only in regard to abattoir boards throughout the entire Commonwealth but also in relation to some of our most important undertakings that are controlled by boards and commissions in this State, we will see what the position is. We have the State Electricity Commission where Mr. Edmondson as chief executive officer sits on the board; we find that Mr. Brownlie and Mr. Telfer, chairman and secretary respectively of the State Housing Commission also sit on the board; again we find Mr. Stannard sitting as chairman of the Milk Board.

In all those cases, the executives sit on the respective boards but because of their knowledge and outstanding ability and of the high executive positions they hold, they are trusted completely. There is plenty of precedence for what is suggested in the Bill. Looking closer home, we find that there are five other States in the Commonwealth that have other abattoir boards and that four of the five have the chief executive officer as chairman of the board while the fifth has the chairman as a full-time member of the board.

Hon. D. Brand: Your Minister for Health did not like the set-up of the State Electricity Commission.

The MINISTER FOR AGRICULTURE: That is beside the point. I am now dealing with what the member for Toodyay said.

Mr. Nalder: Why do not you give the present board time to carry out its job?

The MINISTER FOR AGRICULTURE: The member for Toodyay said that we should not take this step but if we are honest we should. I am not very sure of the motives of the previous Government in creating that board.

Hon. A. V. R. Abbott: That is not a very nice thing to say.

The MINISTER FOR AGRICULTURE: I think the member for Toodyay, when arguing this point, should have said that had Mr. Rowland's name been Smith, he would probably have been placed on the board. We would then have seen a Bill brought before Parliament last year similar to this one, and instead of raising the argument that has been advanced we would have had the spectacle of the hon. member, as Minister for Lands, telling us that five other States of the Commonwealth had the chief executive officer as chairman of the board and that Western Australia, which was lagging behind, should be brought into line.

Hon. A. V. R. Abbott: The other States have very big boards.

The MINISTER FOR AGRICULTURE: Four of them have three members and the fifth has nine.

Hon. Sir Ross McLarty: What difference would the name of Smith make?

The MINISTER FOR AGRICULTURE: I think there is something personal about the arguments that have been advanced. The previous Government, in its wisdom —if it had any—felt that the then controller would have been in a better position had he been subordinate to others and, in consequence, a board was created on which sits an accountant, a member representing producers and another representing beef or meat interests. Last year we had the Government saying, "It is true you three men know nothing about controlling abattoirs, but we are going to give you charge of this and deny you the experience and advice of a man who knows more about it than the lot of you put together." I think it is time we altered that situation.

Hon. A. V. R. Abbott: Of course, your Minister for Health did not think so highly of the State Electricity Commission. He pointed out that the chief executive officer should not be on the board.

The MINISTER FOR AGRICULTURE: The member for Mt. Lawley is only talking about the opinion of a third party; I am talking about facts.

The Premier: The member for Mt. Lawley did not agree with the Minister for Health on the two-up question.

Hon. A. V. R. Abbott: I do not know that I did not; I am sure I did.

Hon. Sir Ross McLarty: Not on two-up. Why does not the Premier speak up?

Hon. A. V. R. Abbott: Oh no, not on two-up!

The MINISTER FOR AGRICULTURE: I cannot see that there is any real objection to this at all other than the thought I had at the back of my mind that the arguments have been based on personal grounds. These men would have been automatically included as members of the board because every other State in the Commonwealth is doing the same.

Hon. A. V. R. Abbott: Do you believe in big boards?

The MINISTER FOR AGRICULTURE: I do not believe in big boards; I do not believe in boards at all, if we can avoid them.

The Premier: Hear, hear!

The MINISTER FOR AGRICULTURE: But there are times when circumstances arise in industry where it is better in meting out justice to all parties and all sections, to have some body controlling the industry with suitable representation on it. I say that representation should be kept to the lowest minimum. We have recommended what, in our opinion, is the lowest number that ought to be controlling an undertaking of the size, value and importance of the Midland Junction abattoirs.

Hon. L. Thorn: You are trying to tell the House what I had in mind.

The MINISTER FOR AGRICULTURE: No. I quoted what the hon. member said. I do not know what he had in mind.

Hon. L. Thorn: I think myself that you have a bad mind!

The MINISTER FOR AGRICULTURE: I cannot worry about that. I am looking at it from the point of view of how the hon. member approached this debate. He told us that if we wanted to go on past experience, we should not appoint the present controller, or any controller, to this board; whereas past experience everywhere indicates that we should do so. From that point of view, I do not think the hon. member raised an argument at all. I think a far better argument was submitted by the member for Katanning.

Hon. L. Thorn: There you are—fishing again!

The MINISTER FOR AGRICULTURE: No fishing so far as I am concerned. If the hon. member disagrees with what I said, I would ask him to read his speech again. I read it during the tea adjournment; and if he reads it, I think he will agree with me.

Hon. L. Thorn: I cannot stand reading speeches.

The MINISTER FOR AGRICULTURE: What the hon. member had in mind, I do not know.

Hon. L. Thorn: Of course not! But you are trying to make out that you do.

The MINISTER FOR AGRICULTURE: Basing our action on the argument brought forth by the hon. member in that speech, we should, in fairness, place this officer on the board because of the experience he has had and the knowledge he possesses, which could be placed at the disposal of the other members.

Hon. A. V. R. Abbott: You would not ask Under Secretaries to attend Cabinet meetings, all the same.

The MINISTER FOR AGRICULTURE: I do not think there is any danger such as the member for Katanning envisaged. He was afraid that if there were some disagreement between an employee and the controller, the employee would have the right to appeal to the board, but his chances of receiving justice would be better if the controller were not there. Of course, if that is so, none of the other meat industry employees who work under boards created by legislation in the other States are obtaining justice.

Mr. Nalder: Conditions differ in the other States.

The MINISTER FOR AGRICULTURE: This controller would be one of a board of five. If there were any justice in the appeal, the employee would receive justice; there is no doubt about that. So although I can appreciate the fears of the hon. member in that connection, I feel that they are entirely groundless. I like the suggestion of the member for Guildford-Midland.

Hon. L. Thorn: Naturally!

The MINISTER FOR AGRICULTURE: I am always in favour of trying to provide better educational and cultural opportunities for people on the lower rungs of life.

Hon. D. Brand: So am I.

The MINISTER FOR AGRICULTURE: That is nice to hear. It is a pity some members opposite did not try to do something about the matter during the years they were in office. No one can promise what can be done along the lines suggested by the member for Guildford-Midland, but I think his ideas are worth looking at, and I have made a note of them—

Hon. L. Thorn: That will be the end of it!

The MINISTER FOR AGRICULTURE: —and I will bring them to the notice of the board, whether the number remains at three or is increased to five, with a view to improving facilities generally, not only for the ordinary employees, but also for the higher ranking staff. I think that wherever an opportunity presents itself for us to do that, we should do it without any hesitation at all. I do not feel that in the Committee stage there would be any justification for my accepting an amendment providing for still another person to be added to the board. I do not consider that the person the hon. member had in mind would add anything to the existing board. The information such a person could give to the board could quite easily be obtained in other ways.

What I do not want to see happen—and this is the only reason the Government has introduced the Bill—is this: Three men sitting on a board who are completely inexperienced in the handling of such a gigantic undertaking as the abattoirs, and being denied the assistance of a man who should have a full voice in the affairs and policy of the board. By reason of his activities in the past and his long experience, he is entitled to be on the board. He has probably more information at his finger-tips than the others put together. It is a disgrace that he is not on the board.

Mr. Nalder: He has his work cut out to do his job as controller.

The MINISTER FOR AGRICULTURE: I know that; and it would be much easier for him if he had access to the meetings of the board, rather than that he should just be an employee as at present. From his point of view, the position must appear pretty ludicrous. This Bill will overcome that position.

I am very pleased that no one has disagreed with the proposal to place on the board a member of the Meat Industry Employees' Union. Such a man, plus the controller and the men on the board representing business and consumers' interests would constitute a most efficient board for the handling of such an undertaking.

Question put and passed.

Bill read a second time.

In Committee.

Mr. J. Hegney in the Chair; the Minister for Agriculture in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Section 12 amended:

The MINISTER FOR AGRICULTURE: I have two consequential amendments which have been found to be necessary as a result of inquiries after the Bill was introduced. It is proposed that the words, "Subsection 2 of" in the first line of the clause be deleted. The reason is that if there are to be amendments as proposed by this clause, there will obviously have to be reference, after the word "one" in line 2 of paragraph (a), to "Subsection (2)". There are consequential amendments to Section 12 of the principal Act that actually follow Clause 3 of the Bill, and in order to insert words in place of "either" or "any", as a result of this Bill, without "Subsection (2)" being inserted in the appropriate places, the amendments would not make sense. Evidently the matter was overlooked by the Parliamentary Draftsman and was not brought to my notice until is was too late. I move an amendment—

> That in line 1 the words "Subsection (2) of" be struck out.

Amendment put and passed.

The MINISTER FOR AGRICULTURE: I move an amendment—

> That in line 2 of paragraph (a) after the word "one", the words "of Subsection (2)" be inserted.

Amendment put and passed.

The MINISTER FOR AGRICULTURE: I move an amendment:

That in line 2 of paragraph (b) after the word "one", the words "of Subsection (2)" be inserted.

Amendment put and passed.

Mr. YATES: I move an amendment—

That paragraph (b), as amended be struck out.

Subsection (2) of Section 12 of the principal Act, which was amended last session, provided that the board, which consisted of three members, was to be appointed by the Governor. One of the members was to be a chartered accountant, having regard to the interests of consumers of meat; one was to have regard to the interests of the butchers; and the third was to look after the interests of the producers of meat. It is the intention of the Minister to increase the number to five, with the Governor still having power to appoint three, and the Minister having power to appoint the other two. I consider that the Governor should appoint the five members.

I cannot see why the Minister wants to appoint two and have the Governor appoint the other three. It is unnecessary to have the wording in the amending Bill, because by our increasing the board to five the Governor will still have power to make the appointments as already laid down. Can the Minister explain why he should have power to appoint two and not power to appoint the other three? Is there any real reason for it, or could the Government appoint the five without interfering with the plan the Minister has for the future control of the abattoirs? If he can answer that question, I might consider withdrawing my amendment.

The MINISTER FOR AGRICULTURE: I have no objection to the Governor's making these extra appointments. This is a matter that must have been overlooked. The main thing is to have the appointments made. I do not see why three should be appointed by the Governor, and two by the Minister, so I have no objection to the amendment.

Mr. Ackland: You do not mind whether you do it or Executive Council does it.

Mr. Yates: This has no effect on paragraph (a).

The MINISTER FOR AGRICULTURE: I do not know.

Mr. Nalder: You have been led astray. You had better report progress.

The MINISTER FOR AGRICULTURE: I feel this will have a greater effect than the hon. member thinks. I shall certainly oppose the amendment.

Mr. YATES: There is no catch in the amendment. For a minute the Minister was undecided and nearly gave in. I have no objection to there being five members on the board.

The MINISTER FOR AGRICULTURE: I can now see what the hon. member is getting at. There is no particular danger in his proposal, and I have no objection to it.

Amendment put and passed.

Mr. NALDER: I move an amendment—

That in line 1 of paragraph (c) after the word "meat" the words "being the last word in the subsection the words, '; one being appointed by the Minister to represent the Meat Industry Employees' Union; and one being the Controller," be struck out with a view to inserting the following words:—

"one shall have regard for the interests of the Meat Industry Employees Union, and one shall have regard for the interests of the W.A. Livestock Association."

The Minister has said that the controller should be on the board because in the other States the controllers are on the boards. That is peculiar reasoning because the conditions vary in the different States. It is no reason why a member of the Livestock Association should not be on the board.

The MINISTER FOR AGRICULTURE: A few minutes ago I explained the matter from the Government's point of view. This amendment has no object other than to prevent the present controller from sitting on the board. The hon. member is entitled to his opinion and I am entitled to mine. The Government believes it is in the best interests of the board to have the valued services of this officer available at every one of the board's meetings. I oppose the amendment.

Hon. A. V. R. ABBOTT: Members of other organisations such as the clerks' union and the engineering unions are employed at the abattoirs. Would it not be wiser to nominate one person to represent them all? To limit the representation to one union seems unreasonable.

Mr. YATES: I have discussed this matter with other members of my party, although not with the hon. member who moved the amendment, and we are of the opinion that the present manager of the abattoirs or the controller, should not sit on the board. The member for Guildford-Midland said he was not in favour of all boards. This one, however, has been constituted and must be carried on.

Hon. A. V. R. Abbott: It is subject to the Minister.

Mr. YATES: Yes. The present board has not had a real chance to prove itself because the work at the abattoirs has been very slow and is not yet completed. Because of the conditions under which the controller has to control the staff and the operations of the abattoirs, it is understandable that the board could not function as satisfactorily as it will when the

projected works are completed. It is not fair to judge the operations of the board in the short time it has been in existence.

In business, generally, it has been the practice in recent years, gradually to take the general manager off the board of directors, because it has been found that it is not satisfactory to have him on the board. Here the Government is trying to place on the board the general manager of the undertaking. He will be in contact with the employees, members of the Livestock Association, buyers sellers, and, in fact, many more people than we would usually find in any other Government undertaking because people go there on sale days, and to inspect meat in the freezing chambers. Therefore we on this side are in agreement with the member for Katanning that on this board there should be one person representing the employees. If the Government intends to protect the employees, it is only fair to expect that the same protection shall be given to the various associations whose representatives attend the abattoirs for the sale of livestock or the purchase of meat. I support the amendment.

Mr. BRADY: I hope the amendment will not be carried. For some reason the member for Katanning seems to have a set on the controller. I feel that officer would be out to protect the interests of the producers as well as those of anyone else. He tries to do right by all parties. Members on the other side are anxious to help the union, but they did not seem to be of that mind 12 months ago when the Bill was rushed through in 24 hours. They will have the opportunity, when Parliament reassembles, to substitute someone in place of the producers' representative. He could be supplanted by another consumers' representative, and we would then have reasonable representation for the consumers.

I think the meat industry employees could look after the livestock interests. I would remind members that the reason for putting the controller on the board is to have there a practical man, in which respect it is at present lacking. The board is now loaded against the consumer and I think that control should have been left in the hands of the controller. Our abattoirs are growing fast but in spite of that there has been no strike in the industry, mainly due to the work of the present controller, who has been in charge for so long. Do members opposite think that if he were on the board he would see or hear too much, or interfere with the interests of producers or wholesalers? I hope the Committee does not agree to the amendment.

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

Ayes	22
Noes	22
A tie	0

Ayes.

Mr. Abbott	Mr. Nalder
Mr. Ackland	Mr. Nimmo
Mr. Brand	Mr. North
Mr. Cornell	Mr. Oldfield
Mr. Doney	Mr. Owen
Mr. Hearman	Mr. Perkins
Mr. Hill	Mr. Thorn
Mr. Hutchinson	Mr. Watts
Mr. Mann	Mr. Wild
Mr. Manning	Mr. Yates
Sir Ross McLarty	Mr. Bovell

(Teller.)

Noes.

Mr. Andrew	Mr. Lawrence
Mr. Brady	Mr. McCulloch
Mr. Graham	Mr. Moir
Mr. Hawke	Mr. Norton
Mr. Heal	Mr. Nulsen
Mr. W. Hegney	Mr. O'Brien
Mr. Hoar	Mr. Rhatigan
Mr. Jamieson	Mr. Sewell
Mr. Johnson	Mr. Styants
Mr. Kelly	Mr. Tonkin
Mr. Lapham	Mr. May

(Teller.)

Pairs.

Ayes.	Noes.
Dame F. Cardell-Oliver	Mr. Guthrie
Mr. Court	Mr. Sleeman

The CHAIRMAN: The voting being equal, I give my casting vote with the Noes

Amendment thus negatived.

Mr. YATES: Am I in order now in moving an amendment?

The CHAIRMAN: No further amendments can be moved to the clause as it stands.

Mr. YATES: I think it is unfinished in its present form.

The MINISTER FOR AGRICULTURE: There is a good deal in what the hon. member says and I have some consequential amendments to move. If necessary the Bill could be recommitted tomorrow. I move an amendment—

> That a new paragraph be added as follows:—
>
> (d) Substitute for the word "either" in line 3 of Subsection (8) the word "any".

As the board will consist of five, there would not be two remaining, as there are today, after the chairman, and therefore this amendment is necessary.

Amendment put and passed.

The MINISTER FOR AGRICULTURE: I move an amendment—

> That a new paragraph be added as follows:—
>
> (e) Deleting the words "both of" in line 2 of Subsection (10)".

Hon. A. V. R. ABBOTT: What will happen when all the other members are not there?

The Minister for Agriculture: There will not be a meeting.

Amendment put and passed.

The MINISTER FOR AGRICULTURE: I move an amendment—

That a new paragraph be added as follows:—

(f) Substitute for the word "two" in line 1 of paragraph (a) of Subsection (11) the word "three".

Hon. A. V. R. ABBOTT: It would appear that a majority decision shall take place only when the other members of the board are there. They are five in number, yet the quorum is three. The clause says, "At a meeting at which the chairman and other members of the board are present". I raised this question previously.

The MINISTER FOR AGRICULTURE: The hon. member only has to continue from where he left off and it would then read, "At a meeting at which the chairman and other members of the board are present the resolution of the majority shall be the resolution of the board."

Hon. A. V. R. Abbott: What if a majority is not there?

The MINISTER FOR AGRICULTURE: What does the hon. member think would happen?

Amendment put and passed.

The MINISTER FOR AGRICULTURE: I move an amendment—

That a new paragraph be added as follows:—

(g) substituting for the word "two" in line two of paragraph (b) of Subsection (11) the word "three".

This amendment is obviously necessary in order that it may conform to what has already been done.

Amendment put and passed.

The MINISTER FOR AGRICULTURE: I move an amendment—

That a new paragraph be added as follows:—

(h) deleting the word "three" in line six of paragraph (b) of Subsection (11).

This is an amendment to the same subsection with which we have been dealing.

Hon. A. V. R. ABBOTT: I am wondering how this will conform to the first amendment moved by the Minister. I thought that when a quorum was present, the decision of the majority was to be binding. According to the amendment now moved by the Minister, it will mean that when there are only three present, the decision is to be unanimous or there is to be another meeting. Is that the Minister's intention?

The Minister for Agriculture: It is nothing of the kind.

Hon. A. V. R. ABBOTT: That is what the Minister says by his amendment.

The Premier: That would work all right.

Hon. A. V. R. Abbott: Yes, if that is the Minister's intention.

The MINISTER FOR AGRICULTURE: If there are three present as a quorum and there is a divergence of opinion, the amendment proposes that the whole board shall be brought together to determine the issue.

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

Title—agreed to.

Bill reported with amendments.

BILL—JURY ACT AMENDMENT (No. 2).

Second Reading.

THE MINISTER FOR JUSTICE (Hon. E. Nulsen—Eyre) [8.51] in moving the second reading said: This is a small Bill which would not have been introduced had it not been that another place objected to a Bill which proposed to amend the Criminal Code and which, in effect, sought to achieve the object contained in this Bill. Members in another place considered it was wrong to amend one Act by introducing an amendment to another Act.

The Bill submitted to amend the Criminal Code proposed to strike out that section which provides that a judge is obliged to instruct a jury not to separate, which has caused embarrassment to both sides. It is provided in the Criminal Code that a jury cannot separate without the approval of the judge. I considered it would be easier to bring down an amendment to the Jury Act than to argue with another place in regard to the proposed amendment to the Criminal Code. That is the reason for the introduction of this Bill. I move—

That the Bill be now read a second time.

On motion by Hon. Sir Ross McLarty, debate adjourned.

BILL—STATE HOUSING ACT AMENDMENT.

Second Reading.

Debate resumed from the 26th November.

MR. WILD (Dale) [8.54]: While I intend to support the second reading of the Bill, I will move an amendment in Committee to restrict to 12 months the unlimited term that is sought in the one clause in the amending Bill. I will not retract in any way what I said two years ago about the necessity for the retention of this provision in the State Housing Act. I point out also, that the Minister the other evening quoted what I said on that occasion. I can only repeat, even although I am on this side of the House, I consider

that, with limitations, it is necessary for this section of the Act to be used by the Government of the day with a great deal of common sense.

It is necessary that the State Housing Commission should have the power which is granted by the section in question because from time to time it is desirable for some areas of land to be resumed. Whilst I was Minister, I knew only too well that, when an area had to be replanned and one or two blocks owned by private people had to be resumed, and when negotiations were commenced, frequently the property owners opened their mouths as wide as the giraffe's and made it impossible for the State Housing Commission to pay the prices they demanded, with the result that ultimately the land would have to be resumed.

Because of these moves by the State Housing Commission, the value of land has increased. In any part of the State, particularly in the metropolitan area, when the Housing Commission has opened up large tracts, overnight the building blocks have increased in value from £20 to £200, £300 and even more. So, in the main, these increased values are brought about by the State Housing Commission opening up new areas. I repeat, therefore, that this power, with limitations, must remain in the Act.

The other evening the Minister referred to the right of appeal. He rather swept through that part of his speech when introducing the Bill, and I would like to repeat it for the information of the House because I consider it is not quite consistent with what he said in other parts. It reads—

> As laid down in the present Act, there are, of course, rights of appeal and certain other rights. They can be checked by any member who is interested. Generally speaking, it can be said that the State Housing Commission has exercised its power in this direction with care and discretion. It has not wantonly rushed in and seized land merely for the sake of so doing. It is only natural, of course, that when a person is dispossessed of his land he does not react too kindly to the resumption.

There are two sections in the State Housing Act under which land can be resumed. One grants the right of appeal, but under the other the person concerned has only the right to claim compensation. The Minister resumed that land which now forms the Maniana housing area under the section which gives no right of appeal but only the right to claim compensation.

The right of appeal that he mentioned the other evening was the right conferred upon a person whose land is to be resumed. I would like to read that section to the House because, about two months ago, I asked the Minister a question regarding which section he used to resume this land. It is Section 21 (d) and reads—

> Where—
>
> (i) the Commission has prepared plans for the subdivision of the land within any area;
>
> (ii) such plans have been approved by the Town Planning Board constituted under the Town Planning and Development Act, 1928; and
>
> (iii) the Commission has compulsorily acquired such land for the purposes of this Act
>
> then no owner of land within such area shall have any right of appeal against such acquisition, but the Commission shall make available to any such owner who, within the time and in the manner prescribed, applies for a house within such area, a suitable block under and subject to the provisions of this Act.

That does not quite tie up with what the Minister said the other evening.

There is certainly the guillotine section in the State Housing Act whereby, if the Minister does wish to be vicious, as occurred at Maniana, land can be resumed without the right of appeal. In fact, the Commission even started to clear that land and bulldoze it before it published a notice in the "Government Gazette." Therefore, in its application, the section can be vicious unless it is handled temperately. In Committee, it is my intention to move that this power be restricted to a period of 12 months. This will be more or less consistent with what I said two years ago when I asked the House to extend the term during which that power could be used for another two years. If my amendment is carried, it will give Parliament the right to review the position in 12 months' time.

The Minister cannot counter my suggestion in this regard. Last year when a protracted debate took place on the Parliament House site permanent reservation, he took a very active part in it. When the measure came back from the Council—it asked for the period to be reduced from 21 to 10 years—he suggested that it be brought back to five years. He had this to say—

> As all members are aware, there are many continuance Bills which come before Parliament every year, including the Marketing of Eggs Act, the Prices Control Act, the Building Operations and Building Materials Control Act and legislation controlling rent, as well as many others. Those are annual measures and there has not been any effort on the part of the Government to continue them for a period of two, three, five or ten years . . . . . .

> I have been a member of Parliament for eight years and during that time I have seen no less than 36 members leave the Chamber through death, defeat at the polls, or resignation. From that it will be appreciated that it is desirable to have a short period so that there will be at all times a considerable number of members who are familiar with all the facts and circumstances. It is desirable that the Government of the day, irrespective of its political complexion, should be urged by private members generally . . . . . .

Then he states his reasons as to why that measure should be brought before the House in five years instead of 21, so that members of Parliament can make themselves au fait with what goes on.

I agree with that in principle but I do not agree to give the State Housing Commission the right perpetually to resume land. Parliament should have the opportunity year by year to resume land. Whilst it may be undesirable to do it year by year, at the same time it is the correct practice. New members as well as old should have the right each year to decide whether the State Housing Commission should be permitted to resume land. I support the second reading.

THE MINISTER FOR HOUSING (Hon. H. E. Graham—East Perth—in reply) [9.21]: The attitude of the member for Dale is extraordinary because in his opening sentence he admits the necessity for the State Housing Commission to have the power to acquire land from time to time. If that were so in 1954, it would apply equally in 1964 or 1974. If the hon. member approaches this question reasonably, then surely he will appreciate that there will be many occasions in future when the necessity will arise to resume land for housing purposes, for slum clearances, and for the designing of townships.

There is nothing extraordinary about this. As a matter of fact, it is completely in step with the procedure which has been adopted in Western Australia for a long period. I have a copy of the Public Works Act. As soon as practicable, all resumptions for State purposes are undertaken under the provisions of that statute, and there is nothing temporary about the powers contained therein. It may surprise members to learn some of the reasons for which land can be acquired by the State.

They include the following:—

> for railways, for tramways, works for or in connection with water supply and sewerage, building for the occupation of Houses of Parliament or public places, for hospitals, lunatic asylums, court houses, gaols, watchhouses, lock-ups, police barracks or quarters, observatories, public schools, or any other schools authorised to be established, public libraries, . . . wharves, bridges, parks or gardens, grounds for public recreation, public cemeteries, public wells or works for the conservation of water, preservation of any cave or place of scientific interest, or the establishment of public abattoirs, quarries for procuring stone, drainage works, road, viaduct or canal.

and a host of others.

Hon. Sir Ross McLarty: The fact is when a person buys a block of land, he does not know whether he owns it.

The MINISTER FOR HOUSING: That may be so. Over the years Parliament has appreciated that the interests of the State are paramount as against the interests of an individual where there is likelihood of interference with the public interest in the material sense. This measure has been part of the stock-in-trade and legislation of this State for more than 50 years, yet on the question of housing with the ramifications that I have indicated, ramifications which go beyond the matter of erecting houses to the redesigning of whole areas and laying out proper facilities for the use of the public, some members, by a strange method of reasoning, suggest that the power on this important matter should be given temporarily.

Hon. D. Brand: There is a proposed amendment to the Public Works Act before Parliament regarding town sites.

The MINISTER FOR HOUSING: That does not cover the situation. That measure is in relation to the acquisition of land for the establishment of new town sites, or extension of existing ones. The State Housing Commission, generally speaking, is concerned with areas of land within existing townsites, and not with the creation of new areas, therefore the power in that Bill does not cover the situation I have in mind. That is the reason why the present measure has been introduced so late in the session.

Like the member for Greenough, I assumed the power sought by the Minister for Works would be sufficient to satisfy the requirements of the State Housing Commission. I would like to hear some sound and logical reason why, when the State has power to resume for 101 different purposes, temporary power only should be given in respect of housing. The member for Dale has advanced no argument likely to satisfy the majority of members of the House on this point.

My final word is in connection with the reference by the member for Dale to the resumption for building purposes on Parliament House grounds. That is something which by no means is a parallel to the present situation. That was not a

question of permanent resumption, but merely a question of dealing with a temporary trespass.

Mr. Wild: You wanted Parliament to have a look at it now and again.

The MINISTER FOR HOUSING: And a recognition by everybody, including the late Government, that those new buildings were wrongfully erected on Parliament House grounds, and that they should, at the expiration of some period, be removed therefrom. What I desired two years ago was that while there were members in the Chamber familiar with the circumstances, the measure should again come before Parliament until such times as those buildings could be demolished.

With resumption of land for housing purposes, that which is acquired in one year will be built on in the next and subsequent years. There is no question of the land being resubmitted to Parliament for further consideration; such a transaction is final. I am certain that the member for Dale, when Minister for Housing, did not at any time envisage the day when it would become unnecessary for the State Housing Commission to have this power. I may point out that this power has not been used recklessly but only when other means were not available. I feel that the logic of the case should be sufficient to commend the Bill in its present form to the members of this Chamber.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Brady in the Chair; the Minister for Housing in charge of the Bill.

Clause 1—agreed to.

Clause 2—Section 23 repealed:

Mr. WILD: I move an amendment—

> That in lines 2 and 3 the word "repealed" be struck out with a view to inserting in lieu the following words "is amended by substituting for the word 'seven' in line 3 the word 'eight.'"

I contend that Parliament should at regular intervals look at this measure. We may not need resumptions year after year. I do not know what attitude the Government of the day will adopt in future, and Parliament should have this right. This measure interferes greatly with the rights of individuals. Whilst there is necessity for the State Housing Commission to have the right to resume land, at the same time Parliament should have the power to review.

The MINISTER FOR HOUSING: I knew the member for Dale would experience great difficulty in adducing even one reason why the acquisition of land for housing should be treated on a totally different basis from the acquisition of land for other public purposes. He made no attempt to justify the amendment. I am unable to accept it, because the amendment presupposes that a period of one year only, from the 24th January, 1954, should be given to the State Housing Commission in which to resume land.

Hon. D. BRAND: Under the original legislation, the power of resumption granted to the commission was only temporary and there must have been good reason for it. Otherwise, permanent power would have been granted.

Hon. A. F. Watts: It was thought that the problem would soon be solved.

Hon. D. BRAND: That is so. However, the position is still such that there is need for the activities of the commission. We are hopeful that this need will decrease and that private people will play a greater part in building homes for letting. Therefore, it would be wise not to give the commission permanent power, but to permit the Act to be reviewed year by year. There is a growing tendency for the Crown to take powers of resumption and give less and less consideration to John Citizen and his rights in property. Parliament should have the opportunity to review the matter every year. Then, when necessary, the power will be conceded.

Hon. Sir ROSS McLARTY: There are good grounds for the amendment. Parliament should have the right each year to review the activities of the commission in regard to its land resumptions. I cannot see that the amendment will have any detrimental effect upon the commission, which will have 12 months in which to plan ahead and obtain the required land. If Parliament has not the opportunity of making a yearly review, the commission could acquire huge areas and there would be no brake at all upon its activities. In these days the owner of private property has a good deal to put up with. The Minister has told us that under the Public Works Act land may be resumed for dozens of purposes, and so one does not know whether a block of land is one's own or not.

The clause would widen the scope of the Housing Commission to acquire land wherever it thought fit without Parliament's having a say and probably not even knowing what was happening. Parliament should know what the commission is doing in the acquisition of land by compulsion. Given a yearly basis, we could disapprove of its action, if necessary. The amendment is a safeguard that should be accepted.

The MINISTER FOR HOUSING: There is not much substance in the arguments that have been advanced. The Leader of the Opposition considers that Parliament every 12 months should be able to review the commission's land resumption activities. No one knows how much land has been acquired over the past two years—

the last occasion when Parliament sanctioned this power. If there is no desire to curtail the activities of the commission, and if the object merely be to review the situation from time to time—I feel certain that the circumstances will be as compelling as they were two years ago—for the sake of a quiet life and feeling in a generous mood, I am prepared to accept the amendment to delete the word "repealed," with the qualification that an extension be granted for two years instead of 12 months. That would be within the normal life of this Parliament and would coincide with the extension of time obtained by the member for Dale when he was Minister for Housing.

Mr. WILD: The Minister has been gracious enough to offer to go half-way, but I maintain that Parliament should have the right to review this legislation every year. Much damage could be done in two years. We should bear in mind what has happened in the last few months in respect to land at Queen's Park, though that may not be the fault of the Minister. I know of no occasion when that section was used previously; every owner had the right of appeal. I recall having heard many appeals.

The Minister for Housing: Owners are still coming to see me on the same matter.

Mr. WILD: Unlimited power should not be given the commission to resume land and Parliament should have the right of review as it has under various continuance measures. Therefore I suggest that the Minister should accept the period of 12 months.

The MINISTER FOR HOUSING: I am disappointed at the attitude of the hon. member in digging in his toes. Permanent power was sought, and it was a great concession to offer to accept a period of two years. The hon. member is not satisfied with that. I am still prepared to accept the first portion of his amendment provided he concedes a minimum period of two years.

I should explain that the Act was passed in 1946 and the power of acquisition was for a period of five years from the commencement of the Act. In 1951, the Act was amended to make the period seven years from the commencement, and that would expire on the 24th January next. Now the hon. member proposes to extend the power to January, 1955, but I wish it to be granted for one year longer.

Amendment (to strike out word) put and passed.

Mr. WILD: I move an amendment—

> That the words "is amended by substituting for the word 'seven' in line 3 the word 'eight'" be inserted in lieu of the word struck out.

The MINISTER FOR HOUSING: For the reasons I have given, I move—

> That the amendment be amended by striking out the word "eight" and inserting in lieu the word "nine."

Mr. WILD: I have made the position clear. The Minister has thrown down the gauntlet. I say the period should be 12 months and he contends that it should be two years. I oppose the amendment on the amendment.

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

Ayes	23
Noes	22
Majority for	1

Ayes.

Mr. Andrew	Mr. McCulloch
Mr. Graham	Mr. Moir
Mr. Hawke	Mr. Norton
Mr. Heal	Mr. Nulsen
Mr. J. Hegney	Mr. O'Brien
Mr. W. Hegney	Mr. Rhatigan
Mr. Hoar	Mr. Rodoreda
Mr. Jamieson	Mr. Sewell
Mr. Johnson	Mr. Styants
Mr. Kelly	Mr. Tonkin
Mr. Lapham	Mr. May
Mr. Lawrence	*(Teller.)*

Noes.

Mr. Abbott	Mr. Nalder
Mr. Ackland	Mr. Nimmo
Mr. Brand	Mr. North
Mr. Cornell	Mr. Oldfield
Mr. Doney	Mr. Owen
Mr. Hearman	Mr. Perkins
Mr. Hill	Mr Thorn
Mr. Hutchinson	Mr. Watts
Mr. Mann	Mr. Wild
Mr. Manning	Mr. Yates
Sir Ross McLarty	Mr. Bovell
	(Teller.)

Pairs.

Ayes.	Noes.
Mr. Guthrie	Dame F. Cardell-Oliver
Mr. Sleeman	Mr. Court

Amendment on amendment thus passed.

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

Title—agreed to.

Bill reported with an amendment.

BILL—LAND AGENTS ACT AMENDMENT.

Second Reading.

THE MINISTER FOR JUSTICE (Hon. E. Nulsen—Eyre) [9.35] in moving the second reading said: This is a most important Bill and I think it should receive the support of the House. The members of the Real Estate Institute were most concerned as regards the position of land agents and they had a deputation to me on the 10th June at which the position was fully discussed. It was pointed out that the public was very gullible, that some land agents were sharks who took advantage of these people and, as a consequence, ruined a number of families.

The Government decided that it would do what it could to prevent people from being robbed and that is the reason for

the introduction of this measure. The payment of key money the Government considers to be a racket and the papers have played their part and have done their best to point out to the public what is going on. Through the medium of the Press, people also have been able to ventilate their grievances and have been able to make complaints about the fact that they have been robbed.

For some time now it has been obvious that there should be some tightening up of the law relating to land agents. One needs only to have followed the reports appearing in "The West Australian" over the past 12 months or so to realise how, in many instances, members of the public have been the victims of unscrupulous land agents. Although some instances of malpractice have come to light, there must be many more which have never been aired in the courts. Apart from my own observations of what was going on, representations were made to me by a number of people, first and foremost being the executive of the Real Estate Institute.

In addition to their concern for members of the public who were being defrauded, it was felt by members of the institute, and other well established and favourably known land agents who were not members of that body, that they were being brought into disrepute through the nefarious practices of some agents. The latter, apart from misleading the public, did not scruple to misappropriate their clients' money.

The amending Bill seeks to give more protection to members of the public. In some cases they have been defrauded of their entire savings and, even with the subsequent conviction and imprisonment of the guilty person, have had no hope of recovering any of their lost money. By an amending Act brought in last year, the Real Estate Institute was given power to oppose applications for licences, renewals of licences, to apply for cancellation of licences and to prosecute offenders. It now appears that the powers conferred are not wide enough in scope and the institute has asked for additional powers of supervision. It is proposed to give these powers to a committee which will represent the interests concerned, namely, land agents, the Treasury and the public.

Hon. Sir Ross McLarty: Another board.

The MINISTER FOR JUSTICE: The committee shall consist of three members, namely, a magistrate, who in addition to being a member shall be chairman; a qualified accountant and auditor, and a licensee. These appointments will be made by the Governor and the members of the committee shall receive such remuneration, expenses and leave of absence as the Governor thinks fit. Provision is made for the expenses to be paid out of such money as Parliament votes for the purpose. The committee is to be given wide powers of inquiry, but certain safeguarding provisions are inserted with regard to persons who might be called before the committee to give evidence. These new provisions relating to the powers of the committee have been based, to a large extent, on similar provisions in force in South Australia.

Another important amendment which the Bill contains is to increase the amount of the fidelity bond required to be furnished before the issue of a licence. It is intended to increase the amount from £500 to £2,000. This might prove a deterrent to an undesirable type of person whilst one of good repute and standing would not have any objection to providing such a bond. Consequently it is considered that the increase is not out of the way.

A further desirable amendment is proposed in a clause which will make it an offence to charge or pay for keys or for information as to tenancies. It was found that, on the repeal of the Increase of Rent (War Restrictions) Act, certain persons took advantage of the acute shortage of accommodation to charge fees for keys and for information as to the possibility of tenancies becoming available. In many cases the possibility was so remote, or the conditions of the tenancy so onerous as to be of no value to the unfortunates who paid the fee, always in advance, of course. This amendment is designed to terminate that abuse.

The Bill also seeks to rectify an error regarding the annual fee. Through an oversight, a 1948 Act and a 1952 enactment both contain the same amendment relating to the annual licensing fee. It is necessary to repeal the latter Act in this respect. The long title in the principal Act has been amended to include the "supervision" of land agents. Consequential amendments will be required to the regulations made under the Act.

Finally, the Bill, if passed, will come into operation on the 1st January, 1954. Under the principal Act licences expire on the 31st December in each year. The amendment is so designed that the new provisions will have effect on and from the commencement of the new licensing year. This will mean that the committee will have to be appointed between the passing of the Bill and the end of this year, but this should present no difficulties. For the protection of the public generally, this Bill should be passed.

Hon. A. V. R. Abbott: Where did this proposal originate? From the land agents?

The MINISTER FOR JUSTICE: The thought originated from reports appearing in the Press and from the fact that so many people came to see me and other members of the Government to ask us if something could be done to protect them from these unscrupulous land agents. Of course, all land agents are not unscrupulous nor are they all rogues. From 1947 to

1953 there was an increase of approximately 70 land agents in this State and they took every advantage of the shortage of accommodation; hence the introduction of this measure. I move—

That the Bill be now read a second time.

On motion by Hon. A. V. R. Abbott, debate adjourned.

BILL—DEATH DUTIES (TAXING) ACT AMENDMENT.

Second Reading.

Debate resumed from the 18th November.

HON. SIR ROSS McLARTY (Murray) [9.45]: At the outset I want to say that I am opposed to this Bill. We know the Commonwealth did make some concession recently in regard to death duties, and when introducing that Bill the Federal Treasurer said he was doing so because he wanted to give some relief with regard to taxation. As members know, he did give that relief in several directions, including the abolition of the entertainments tax which has been reimposed in this State.

I am aware, of course, that in countries —or in some democratic countries—there is provision for a tax on deceased estates. I do know, however, that in our own country probate duties press very heavily on those who have to provide the revenue derived from that source. As members are aware, not only have we got a State probate tax, but we also have a Commonwealth probate tax. I can call to mind quite a number of estates that have been seriously embarrassed because of the imposition of heavy taxation both by the State and the Commonwealth. I do not think there is any justification for this Bill.

The Treasurer told us that he expects to raise £50,000 additional revenue by raising certain death duties. He also told us that the Grants Commission said we were £76 000 below that of the standard States. The Treasurer indicated to the House that he was following the suggestion of the Grants Commission that additional taxation on death duties should be levied in this State. I would ask the Treasurer just how far we as a responsible Parliament are expected to go in carrying out the wishes of the Grants Commission, as they relate to the imposition of additional taxation.

I would hate to think that we were going to follow the actions of, say, the New South Wales Labour Government that may do anything in the way of imposing additional taxation. We must take into consideration, as the Grants Commission has, the special difficulties and problems which confront our State, and it cannot be expected that, because a standard State imposes heavy additional taxation in some direction, we should follow suit. In any case I am strongly opposed to this Bill and I see no justification for it.

When I spoke during the debate on the Budget, I drew attention to the resolutions carried by the Farmers' Union some time ago. Wide publicity was given to the objections of that organisation in its paper, "The Primary Producer". The union went to considerable lengths to explain the hardships and difficulties that probate imposes upon farmers and the difficulty they experience in meeting those demands. This tax is nothing more than a capital levy, and we know, too, of instances where farmers and professional men have had a mortgage on their properties for many years. They have been able to clear the mortgages only to find that when their parents died they were mulcted by very heavy probate duties and were forced to revert to the situation out of which they had just got themselves.

I think it is totally unfair; it will certainly not encourage people engaged in industry. Under the Bill, where the value of an estate exceeds £7,500, there is to be an increase of 10 per cent. Estates of £1,500 and under will be exempt. In the Press there have been certain charges made that this legislation is ill-considered or rushed, and that more time should be taken in relation to it.

Let us consider some of the anomalies that exist. I would suggest to the Treasurer that even at this stage he should withdraw the Bill and have a look at the whole Act with a view to giving the matter further consideration. In reviewing those anomalies, let us start with estates of £1,500 and under. As I have said, in future these will be exempt from probate tax. But if the estate is valued at £1,501 —£1 above the £1,500—a probate duty of £45 will have to be paid because the rate commences at 3 per cent. in excess of £1,500. There would be a desire to keep an estate down below £1,501 because of the additional impost of £45.

An estate of £6,000 would pay a duty of £150, but an estate valued at £6,001 would pay a duty of £360—an increase of £210 for an increased value of £1. The Treasurer might say to me, "Why did not you do something about this while you were in office?" and that would be a logical question; but during the time I was Treasurer I did not amend the Death Duties Act. I am sorry I did not, but had I done so, I would certainly have attended to the anomalies I am now presenting to the House.

Full rates would apply where the estates exceed £6,000. I think half rates for the first £6,000 should be allowed. I have just a few instances of how this tax will bear upon those who have to pay it. On £6,000 the State will be paid £150 and £34 will go to the Commonwealth. On an estate of £8,000 the present tax is £512 which

under this proposal will be raised to £563; the Commonwealth will collect £97. On an estate of £10,000 the present tax is £680; that will be raised to £740 and the Commonwealth will collect £170, which makes a tax of £918. On £12,000, the present State tax is £888; it will be raised to £976 and the Commonwealth will collect £240, making a total of £1,216. On an estate of £16,000, the present payment is £1,344; under this Bill it would be raised to £1,478 and the Commonwealth will collect an additional £479. On an estate of £18,000 the present tax is £1,584; under this Bill it will be raised to £1,742—an increase of £158—and the Commonwealth will take an additional £675. The last reference I wish to make is on an estate of £20,000. At present the tax is £1,900; this will be raised to £2,090, and the Commonwealth will take another £887.

I think those figures will indicate to members the severity of this taxation and the heavy imposition it will be on those who will have to pay it. But it is interesting to read what money has been collected by way of State probate in this State over the last few years. I do not refer to the Commonwealth here; I deal purely with the State. Members will be interested to note the steep increases there are in relation to this tax. I take these figures from the Treasurer's own Budget speech, and they are available to members.

In 1947-1948, £300,478 was collected; this was increased to £362,168 in 1948-49. In 1949-50, the amount was up to £412,816; in 1950-1951, it went to £462,848; in 1951-1952, a steep jump to £685,000—an increase of over £200,000 in that year. In 1952-1953 the amount went up to £843,000. This year the Treasurer says that with this increased tax he will get an amount of £830,000. How he arrives at £830,000 I am not able to understand, because every year since 1947-1948 there have not only been increases, but very substantial increases indeed.

Then of course we have the fact that the population of this State is rapidly increasing, and incomes are still growing. So when the Treasurer tells us that last financial year he got £843,000 but that this financial year he will only get £830,000, I think he ought to give us some further explanation. There is an interesting comment in "The West Australian" of the 25th November, 1953. It reads as follows:—

> Taxpayers see New Probate Anomalies.
>
> The Taxpayers Association of W.A. considers that the Death Duties (Taxing) Act Amendment Bill now before State Parliament should be rejected.
>
> This was stated yesterday by the secretary of the association (Mr. E. H. Wheatley).
>
> Rejection of the measure was urged because of its "rough and ready" method of levying State probate duty, its failure to remedy existing anomalies and because it introduced additional anomalies which should be rectified, he said.
>
> Mr. Wheatley said that the following items needed attention.
>
> An estate of £1,500 was exempt but an estate of £1,501 would pay W.A. probate duty of £45, as the rate commenced at 3 per cent. in excess of £1,500.
>
> This rate should be dropped to, say, 1 per cent. and stepped up at regular intervals to the proposed rate of 6.4 per cent. at £7,500.
>
> Alternatively, a sliding scale could be applied increasing the rate for every £1 in excess of £1,500 along lines of Federal estate duty.
>
> Existing legislation permitted payment of duty at half-rates on an estate up to £6,000, where the estate passed to the widow, widower, parent or children of the deceased.
>
> Full rates applied to the whole estate where it exceeded £6,000.
>
> An estate of £6,000 paid duty of £150, but an estate of £6,001 paid duty of £360, an increase of £210 for the additional £1 in the value of the estate.

The Premier: That is the existing law.

Hon. Sir ROSS McLARTY: Yes. Concerning half-rates, Mr. Wheatley said—

> This should be overcome in an amending Bill by exacting duty at half-rates on the first £6,000 and full rates on the excess over £5,000 instead of full rates on the total estate where it exceeds £6,000.
>
> The limit of £6,000 for half-rate was fixed in 1939, Mr. Wheatley said, and in order to grant proper relief to widows and orphans the figure should be increased to somewhere between £15,000 and £18,000 to be in line with changes in currency values since 1939.
>
> Revenue lost should be made up by full rates of duty on estates passing to "strangers in blood."
>
> Both the present taxing Act and the amending Bill meted out very rough justice to the taxpayer and the latter should be amended further to preserve equity and provide greater relief for the dependants of deceased persons.

The Premier: Did Mr. Wheatley work out the net financial result of the adoption of his proposal?

Hon. Sir ROSS McLARTY: I do not know. I very much doubt whether effect could be given to his proposal that "Revenue lost should be made up by full rates of duty on estates passing to 'strangers in blood'." Otherwise, I agree with what he said.

The Premier: His proposal might bring in much less than the existing Act produces.

Hon. Sir ROSS McLARTY: Yes, I think it is probable that a lesser amount would be collected; but there is no doubt that justice would be done. When the Premier was introducing the Entertainments Tax Act Amendment Bill, he told us that the reason the House should agree to it was that it would give him additional revenue, and he indicated certain charitable avenues in which that revenue would be spent. He is saying the same about this additional taxation that he wants to obtain from further probate duty.

That argument could always be used. I have no doubt that the Premier and Treasurer in ten years' time—whether it be the present one or another—will use the same argument when he wants increased revenue. But what we have to consider is what this will mean to taxpayers generally, and whether there is justification for it. It might be, in the opinion of some people, an easy means of getting additional money; but I repeat that I think this is an unjust tax; and, taking into consideration the fact that two Governments—Commonwealth and State—are levying very substantial taxation, I consider it is time the taxpayers were given some relief from it.

I would take the example of certain businessmen and farmers who have been assisted in their business and farming operations by their sons. The knowledge that they will succeed to the property has been an inducement to the sons to remain; and in these days particularly farmers have got to offer some inducement to their sons to stay on the land because, as the Premier knows, there are many inducements for them to go off the land and obtain higher wages than the average farmer can pay. Because of the inducement held out that one day he will inherit his father's property, on which he has worked all his life, a man remains and takes an interest in the farming operations, which are, of course, to the undoubted benefit of the State. As I pointed out when I first rose to speak, on many occasions over the years such a man has assisted his parents to clear the mortgage off the land. But now we find that, as a result of these probate duties, fresh mortgages will often have to be raised and a start will have to be made all over again.

The tax which the Premier proposes is a stiff one: 10 per cent. on the existing tax. I do not think there is any justification for it. The £50,000 that he proposes to raise will be far exceeded; I have no doubt of that. I know that it is difficult to estimate what will be obtained from death duties. But I repeat that I believe a sum far in excess of £50,000 will be obtained. Perhaps it was for that reason that the Premier considered it was not necessary to provide for the collection of the £76,000, knowing—he did not say so, and I hope I am not misrepresenting him—that there would be a very good chance, under the present proposals, of collecting an amount much in excess of the £76,000 to which the Grants Commission referred.

The Premier: So much depends upon who it is who dies.

Hon. Sir ROSS McLARTY: Yes; we take the average, because death is no respecter of persons and takes the rich with the poor. I cannot support the Bill. I do not think the tax should be imposed, and I hope Parliament will reject it.

MR. PERKINS (Roe) [10.8]: I would like to voice my protest against the Bill. I realise the Premier is in a difficult position in having to raise money to meet various commitments which the State has to face. Unfortunately, however, over the years Treasurers, both Federal and State, have found this avenue of probate taxation an easy one, and one where the burdens have been getting considerably heavier until I believe they have reached the point where they can have serious repercussions on the whole of our economy. The Leader of the Opposition has already mentioned that certain bodies have raised protests against the severity of existing taxation; and I know, from discussions with a number of people, particularly country people, that considerable hardship is caused from time to time when families are forced to find cash to pay probate before any use whatever can be made of the residue of the estate.

Probate taxation has many of the bad features of what was much discussed at one time and what is still discussed from time to time. I refer to the question of a capital levy which is put forward by left-wing thinkers. I would like to stress the unfortunate consequences of taxation of that nature. Probably not so much exception can be taken where an estate passes to what I understand are called "strangers in blood." But where an estate passes to members of a family who have been working as a unit, obviously very serious financial complications must occur if £2,000 or £3,000—or even £4,000 or £5,000—has to be found by way of probate duty before the residue of the estate can be used to carry on the enterprise.

I have no doubt that other country members, as well as I, have seen actual cases where families have been crippled in their operations for a number of years as a result of heavy probate taxation levied on estates. That can only result in some diminution of production at a time when, I think the Premier will agree, we need maximum production, not only to feed the hungry people of the world, but also to keep our Australian economy on a proper footing. Such taxation can be a deterrent to production; and cases have occurred where families, rather than face the very great difficulties following the collection of cash for probate duty, have

reduced their operations, and a period of dislocation has followed during which the property has not been maintained at the same rate of production as it was prior to the death of the person in whose name most of the property was registered, and whose estate was liable for probate taxation. In those circumstances, not only does the overall picture suffer, but the State also suffers directly because of the effect on income tax collections; and the income tax collections on larger incomes at present are sufficiently high for that to be a major factor in the revenues of the Commonwealth and the States.

There is another harsh side which is highlighted when the death occurs of some individual who, during his life, has deprived himself of many things that other people have taken for granted, and as a result of that deprivation has built up a sizable estate. Unfortunately, when many people read in the paper that some individual has left an estate of £20,000 or £30,000—or perhaps even more—the reaction is for them to say, "What a fortunate individual!" I suggest that a person who has built up an estate of that kind has done something that has benefited to the whole community to a considerable extent.

At the present time considerable efforts are being made by Governments to encourage people to save and put money into loans. I suggest that the best way of making it possible for them to do that, and of making the ordinary economic enterprises of the country profitable is to reduce taxation. An individual, because he has been thrifty and far seeing during his lifetime, should be commended rather than otherwise; and certainly it does not seem right that he should be required to pay extremely heavy income tax each year, and his family, following upon his demise, be called upon to pay another substantial tax on the residue of the income which has accumulated over the years and is tabulated as the deceased's estate.

So it is understandable that there is a bad reaction by families who are called upon to pay substantial amounts by way of probate duty when they know that the only reason that it has to be paid is because the deceased parent, as well as themselves, has been thrifty over a long period. When we compare this position with that of the other individual who pays his income tax, the same as we all do, but who spends the remainder on a good time, or in some other way, which results in his estate being very much less than that of the thrifty individual, we realise the injustice of the tax.

So I raise my voice in protest against any increase in this method of taxation. As a matter of fact, I would like to see some alleviation of it, particularly in regard to estates that pass to blood relatives of the deceased. I can see no justification for increasing taxation in that particular category and the ill effects can extend to other categories, as well. I am sure that if the Treasurer discusses this form of taxation with his constituents, he will realise that it is extremely unpopular, and that the increase is likely to have bad repercussions. I oppose the Bill.

MR. BOVELL (Vasse) [10.19]: It seems that nowadays Governments, on assuming office, take every opportunity to tax in all possible avenues. This proposed tax is one on capital, and it should be strenuously opposed. I speak on behalf of a number of small dairy farmers who have worked with their families to create an asset which has contributed towards the State's economy, but which could not have been developed without the co-operation of the family. It is only natural that the head of the family should desire to keep control of his affairs until he passes on. The suggestion may be advanced perhaps, that a company could be formed and the various members of the family brought into it in order to reduce probate charges, but we can assume that human nature being what it is, the head of the family would want to retain control of the asset he established.

I know of many instances in the South-West of farmers and business people experiencing financial difficulty because of the imposition of probate duty. The Commonwealth Government recently saw fit to reduce certain charges in connection with probate duty and other taxes, and that has prompted the State Treasurer to step in and secure as much finance as possible from measures of this nature. It is difficult for a widow, when the bread-winner passes on and the home is taken into account for probate, to find even the small amount of probate duty that is required by the Commonwealth and State Governments. On a number of occasions I have assisted familes in their applications for probate, and on estates valued at £2,500 or £3,000, the probate charges have amounted to between £200 and £300. This has been a financial burden to the widow, daughter or son of the deceased person, and I think some relaxation of probate charges should be made in respect of estates of small value; and especially when the home passes to the next-of-kin, or the estate consists of a small business or farming unit. Pressure has been brought to bear by the Farmers' Union in this connection. I have attended a number of meetings of the zone council in my electorate over the past three years, and I have been requested to support any move for a reduction of probate duty which is creating a burden on the dependants of small farmers who are deceased.

I cannot quite see how the Treasurer budgets for an income of £800,000 from this source. I imagine that his first duty each morning is to look through the newspaper to see where his income is coming from, and how the amount he has budgetted for is going to be realised. This seems rather a mercenary method, but perhaps it is one of the Treasurer's first duties each day. I strongly oppose the imposition of this tax on capital, and especially on estates of a value of less than, say, £10,000. Today that amount is really of no great value, because the beneficiaries of the estate, if they were to maintain the status quo of the business, farm, or whatever the estate consisted of, would be hard pressed financially. As suggested by the member for Roe, they would have to raise further mortgages on the assets; and already over a period of years they might have worked hard in order to redeem encumbrances on the property. I ask the Treasurer to take a more lenient view of this tax on capital. I shall certainly oppose the second reading.

MR. NIMMO (Wembley Beaches) [10.28]: I also appose the Bill, although I am pleased to see that the exemption has been raised to £1,500. I would like to mention to the House one case in particular. The late Mr. Shearn, who was a member of this Chamber, valued a house at Maylands at £600 when he arranged for the pension to be paid to the owner and his wife. I might say that this man had quite a lot of sickness. Later, the pension people sent him another form, and I had the privilege of filling it in, and I valued the house at £800. I did not know that Mr. Shearn had valued it at £600.

The house was built in the year one—a very old house. The owner died, and the Public Trustee's office valued the house at £2,456, and probate duty amounting to £36 10s. was paid on it. I am quoting this instance because the Treasurer said that he would exempt estates of a value up to £1,500. This man had a policy with the A.M.P. Society which netted £670. I do not know how the widow would have paid even the £36 10s. if she had not had that policy. She would have had no hope of paying it with the pension as her only income. This is not an isolated case.

I had another on the border of Floreat Park and Wembley. In this instance the house cost £870 under the war service homes scheme, and when the estate was valued by the Taxation Department, a value of somewhere in the vicinity of £3,000 was placed on it. Had that woman not had a small amount of money put aside she would have had no hope of paying the probate. I ask the Premier to consider the instance I have mentioned, where the late Mr. Harry Shearn, as a sworn valuator, valued a house at £600 and the Taxation Department valued it at £2,456, and give thought to raising the exemption beyond £1,500. Widows will be the persons most affected — many of them on pensions—and so I ask members opposite to try to influence the Premier to raise the £1,500 to some higher figure.

MR. HEARMAN (Blackwood) [10.32]: I am not very impressed with the argument that the Grants Commission has suggested that this tax should be increased. If it is good enough for the Federal Treasurer to decide to give some relief in this direction, I think it would be better for us to follow his example than to adopt the suggestion of the Grants Commission. After all, if we agree that this taxation has been too high, it will be a bad thing, now that the Federal Treasurer has given some relief, for the State Treasurer simply to reimpose the tax.

We have heard much of the hardship suffered by people on the smaller fixed incomes, but it seems to me that the man with a relatively small estate of from £4,000 to £6,000, which may consist of a house and perhaps a small investment in Commonwealth loans, and who desires to make some provision for his wife on his death, will find it hard enough without any increase in probate. Certainly the measure increases the exemption to £1,500 but I do not think it goes far enough. Many estates of considerably more than £4,000 or £5,000 have been appreciably embarrassed by having to meet probate.

In many instances the payment of probate has proved an embarrassment with respect to farms, and particularly the smaller properties. I have known it lead to considerable discussion as to whether the family should carry on the property or dispose of it. One farm went without superphosphate for two years because of the necessity to raise probate, and when at last the owners decided they could buy super, they applied to the allocation committee and were told that, because they had not had any super in the previous two years, they would be allowed only three tons. The adverse effect of that on the property over a number of years was very great and most discouraging to the son who took over the property together with the encumbrances that were on it.

I wish the Treasurer had extended more consideration to these smaller estates and I would remind him that the more we increase probate duties, the greater will be the amount of evasion that takes place. As members know, it is possible to avoid paying probate without breaking the law, and I think that any estimate of the possible augmented yield from an increase in this tax will be difficult on that account. It is true that to offset this proposed increase there has been a reduction in Federal probate, but that is no argument in favour of the increase.

Personally, I would like the Treasurer to consider the position of estates of people who may die within the next few years without having an opportunity to make extra provision. Through no fault of their own they are likely not to be able to make adequate provision and I do not think that state of affairs is one that any Government would wish to inflict on the class of people to which I have referred. They are generally those who cannot claim pensions and have battled hard all their lives to stand on their own feet. I think the Government should do everything it can to encourage them, rather than place further burdens on them.

MR. MANN (Beverley) [10.37]: I feel that this is an unjust tax. There are many farmers who at the end of the depression were struggling very hard to remain on their properties and who only by sheer determination managed to remain on their farms until conditions of increased prosperity allowed them to pay off some of their indebtedness. I know there are on the land today many men who lost the life assurance cover they had taken out to meet probate charges and whose estates would have to sell stock and plant to meet probate duties, should they die.

The most important part of the economic life of this State today is not Kwinana, about which we hear so much, or our other secondary industries, but primary production. In the long run, our only real wealth is that which is derived from the soil. Of course, numbers will tell and the Bill can be carried, but I hope the Premier will give further consideration, before the measure reaches the Committee stage, to making the position a bit easier because, as it stands, this legislation could do much to destroy the real wealth of the country. I feel that the position is much more serious than the average person realises and I hope the Premier will heed my warning.

MR. JOHNSON (Leederville) [10.40]: I feel that the statements made from the other side of the House should not pass entirely unanswered, and I would draw the attention of those members who have dealt so feelingly with the question of what happens to a widow who has to pay probate duty on the estate of her dead husband, to the fact that the next Bill on the notice paper deals with that particular aspect and will make it possible for that difficulty to be avoided. I think it would be more honest in debate at least to make some passing reference to that point. I know that I cannot speak about that particular phase because it is contained in another Bill, but as the two are complementary, to a large extent, I think the provision contained in the Administration Act Amendment Bill (No. 2) completely destroys any validity in the argument put forward by members opposite.

One of the major points in this Bill is that it lifts the lower limit and last year I did not see any member bursting into tears when speaking about people who had to pay probate duty on estates of £200 or more. Perhaps that is not a large sum to some people, but with others probate on that figure is more important and difficult to find than it would be for people who had to pay probate on an estate of £10,000, as one member suggested, or on £4,000 or £5,000, as another member mentioned. It must be remembered, when speaking about encumbrances on farms, that if a property is encumbered by way of mortgage, the amount of that mortgage is taken into consideration when a valuation is made for probate. Probate is made on the net and not the gross valuation of an estate. I very much doubt whether there are many estates in the higher bracket, that would be seriously affected by the necessity for paying probate. If there is a large equity there is no doubt that financial quarters will assist materially in meeting the requirements of probate.

I would refer members to the Auditor-General's report this year in which he draws attention to the fact that some probate duties have been outstanding for three years or more and I very much doubt whether those farms—if farms were concerned—have gone out of production during that period. I have little doubt that it is possible, in cases where embarrassment might be felt, to arrange a deferment to ensure that no property goes out of production. I have listened to the claims that probate is a serious embarrassment to the economics of the country. I cannot imagine that one single farm has gone out of production because of the necessity to pay probate. Even if a farm has been sold, it is worked by other people and is still an economic production unit. No house has been pulled down to pay probate; the house has remained a house and if perchance cattle have been sold, to raise ready cash, the cattle have not been left out of the economic process. They have merely changed ownership.

Mr. Yates: Many people have been hurt in the process because of the necessity to pay probate.

Mr. JOHNSON: People get hurt every day of the week in many processes. I do not say that it is just, but I merely want to show that the argument put forward on that point was not correct. The economic process is not concerned with pounds, shillings and pence, but with real things. In the economic process a farm is a farm and a sheep is a sheep. It may be shown on the balance sheet as so much in pounds shillings and pence, but so far as economics are concerned, it remains a farm or a sheep. Therefore the argument that the necessity to dispose of a farm makes a difference to our economics is com-

pletely false. Probate is paid in pounds, shillings and pence and not in sheep or farms. I trust that that is reasonably clear. Another point which could be underlined is that valuations for probate are never full market values. From my experience they have always been considerably below market value.

Hon. Sir Ross McLarty: That is not always the case.

Mr. JOHNSON: There may be exceptions.

Hon. Sir Ross McLarty: There are plenty.

Mr. JOHNSON: In my experience the valuations have all been considerably below market values. I have known of a number of cases where, after probate has been paid, various assets have been sold almost immediately and at figures well above probate valuations. Because of this many people have queried whether persons who value estates for probate know their jobs. But I am led to believe that it is the policy not to put the boots in—to use an Australian phrase—but to be a little conservative with regard to these particular valuations. I do not say that they are over-generous, but they are at least conservative because I am told that the valuations are frequently based on the figure the property will bring at a forced sale instead of its open market value.

The major requirement of the Bill is to produce revenue and I can see nothing wrong with that. People who have lived a long life and have built up a large number of assets should make a contribution to the country that has enabled them to create those assets. People, besides being members of families, are citizens of this country and without this country they would not have been able to build up considerable assets upon which probate has to be paid. No person, by his own efforts, and without luck, or malpractice of some kind, can possibly build up an estate to the value of £7,500, unless, of course, he has received a favourable start in life. If there is any moral justification for a person acquiring a large estate, there is no justification for those who do not do the work inheriting that estate.

There is a biblical injunction which says, "By the sweat of thy brow shalt thou eat bread." I have no objection to that. If a man earns something, he is entitled to it, as long as he earns it. But I have a great objection to a person spending money that he has not earned; reaping where he has not sown; and if I were suggesting amendments to this Act, I would ensure that the rates for the larger estates were increased. I might raise the lower limit, but if I had my way I would increase the amounts chargeable on the estates in the higher bracket, because this is a good country, in which everybody has a reasonable chance to make his own way in life. If people are seeking assistance over and above what the country grants to them, they are not the people we want. We want people who can stand on their own feet. I can see no objection to this Bill other than it is a little too light in its provisions.

THE PREMIER (Hon. A. R. G. Hawke—in reply) [10.51]: I have listened with considerable interest to what has been said by members who have spoken to the Bill. It is somewhat strange to hear some Opposition members drawing attention to anomalies and hardships that are created by the existing legislation. These hardships, to a certain extent, have existed for years. They are not any greater in number or harsher today than they were in previous years. As the Leader of the Opposition has told the House, his Government did not attempt in any way to amend the existing legislation during the six years he was Premier of the State.

Hon. Sir Ross McLarty: One of the things we should have done, but which we did not do.

The PREMIER: Therefore, as I have already said, it is extremely interesting and, to some extent, strange, to now hear talk from members of the Opposition about hardships and anomalies created by the law that is operating. The introduction of the Bill and its passing into law will not create any gerater anomalies or hardships: in fact, if passed, it will reduce existing anomalies and remove some hardships. As members know, the present exemption on the taxable value of an estate is only £200. The Bill proposes to raise that figure to £1,500. That alone will remove many anomalies and hardships.

The only comment I heard from members opposite on that point was that the proposed exemption of £1,500 was not high enough. If we cared to allow our generous impulses completely free rein, I suppose we could keep on suggesting higher figures until we reached that point where, if that final figure were to be adopted, the legislation would bring in no revenue whatever. The Leader of the Opposition suggested that the estimated total revenue to be obtained from probate duty this financial year, namely, between £800,000 and £900,000, was probably considerably underestimated.

When this financial year has run its course and the total revenue obtained from probate duty is made known, the comment made by the Leader of the Opposition may prove to have been justified. Nevertheless, it must be remembered that we may have reached the stage where the total income from this source will more or less consolidate. During the period for which the Leader of the Opposition gave figures, the process of inflation was intensifying from year to year. It is now the generally accepted conclusion that

that process has steadied somewhat, if not considerably. Therefore, the rapid increase from year to year in the total receipts from probate duty is not likely to be continued into this financial year.

Another important factor in trying to estimate how much money will be received from probate duty in a given time is the question of how wealthy will be those people who die during the period. The Leader of the Opposition and others have suggested that there is a law of averages, and that on that basis the total income can be estimated fairly accurately. If it should happen that during this financial year the total income received from probate duty is fairly substantially above the amount estimated, I assure the House that the excess amount received will be used in an endeavour next session to remove further anomalies and hardships which may still exist at that time. In other words, if the estimate is exceeded, whatever the excess might be, it will be used as a basis for working out further concessions to be incorporated in the Act during the next session of Parliament.

Members of the Government have no desire to fleece the beneficiaries of deceased estates. We do not wish to proceed beyond a point which could be considered reasonable. I know, of course, that views vary regarding what is reasonable. However, it must be kept in mind, when considering this angle that the Commonwealth Government, because of the vast resources from which it can draw taxation, has been able to grant substantial concessions in probate duty. Such an action will provide considerable relief to beneficiaries of deceased estates.

Although that is not the reason for the introduction of this Bill, it nevertheless proves that the proposed increases in probate duty provided for in the measure will not, in the net result, impose the actual increases which the Bill will insert in the existing legislation. The fact that the Grants Commission has penalised this State to the extent of £75,000 because of our lower probate duties compared with those imposed in other States has been brushed aside as being of no consequence by those who have opposed the Bill.

I do not agree that Western Australia should blindly follow what has been done in the other States, nor should it of necessity automatically be driven to take certain action merely because the Grants Commission has penalised the State because it has not so far done that self-same thing. At the same time I think we might seriously consider the attitude of the Grants Commission in a matter of this kind. If the Grants Commission penalises the State to the extent of £75,000 because we did not impose a certain level of taxation, then that is something we ought seriously to consider. If as a result of mature consideration we think something ought to be done about it, then we should attempt to do that something.

Recently I had a look at the Budget speech of the Treasurer of South Australia which he delivered in the House of Assembly in Adelaide, and though South Australia was penalised by the Grants Commission in regard to the level of probate duty taxation the Treasurer of that State has not increased probate duty there —not this year at any rate. He has, however, raised motor vehicle taxation very considerably and I think in South Australia during the current financial year the Treasurer will receive approximately £1,000,000 additional revenue from increases made by his Government under that heading.

He and the members of his Government, and the Parliament of South Australia, have agreed to those increases almost entirely on the basis of the findings of the Grants Commission on that issue. It will be seen, therefore, that although the Treasurer of South Australia has not taken notice of what the Grants Commission said about probate duty levels in that State, regard was paid to what the commission said about motor vehicle taxation. Accordingly whilst we, in this State, choose probate duty, the Government in South Australia decided to adopt the lead given by the Grants Commission in relation to motor vehicle taxation.

Hon. Sir Ross McLarty: Motoring is an expensive business these days.

The PREMIER: Everything is expensive these days, unfortunately. In all the circumstances, it seems to me that the provisions in the Bill are justified.

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

Ayes	21
Noes	20
Majority for	1

Ayes.	
Mr. Andrew	Mr. McCulloch
Mr. Brady	Mr. Moir
Mr. Graham	Mr. Norton
Mr. Hawke	Mr. Nulsen
Mr. J. Hegney	Mr. O'Brien
Mr. W. Hegney	Mr. Rhatigan
Mr. Hoar	Mr. Sleeman
Mr. Jamieson	Mr. Styants
Mr. Johnson	Mr. Tonkin
Mr. Kelly	Mr. May
Mr. Lapham	*(Teller.)*

Noes.	
Mr. Abbott	Sir Ross McLarty
Mr. Ackland	Mr. Nalder
Mr. Brand	Mr. Nimmo
Mr. Cornell	Mr. North
Mr. Doney	Mr. Oldfield
Mr. Mearman	Mr. Owen
Mr. Hill	Mr. Perkins
Mr. Hutchinson	Mr. Watts
Mr. Mann	Mr. Yates
Mr. Manning	Mr. Bovell
	(Teller.)

Pairs.	
Ayes.	Noes.
Mr. Guthrie	Dame F. Cardell-Oliver
Mr. Lawrence	Mr. Court
Mr. Heal	Mr. Wild
Mr. Sewell	Mr. Thorn

Question thus passed.

Bill read a second time.

House adjourned at 11.6 p.m.