

For many years Parliamentary government has been severely criticised and scrutinised, and never more so than at present. In many countries its very existence is threatened. In other countries the system has been overthrown. People have deemed that it has outlived its usefulness. To them it is a procedure which appears cumbersome and opposed to the country's interests. The days of its trial have passed, and it is no longer deemed to be of use. If to the charge of inefficiency laid at the door of Parliament, there is added that of unworthiness, it provides an opportunity for the public to assume that Parliament has fallen from its high estate. The last vestige of respect for Parliament will have gone, and the way will be opened for upsetting the existing order of government. Certainly the way has been opened for a suggestion of that kind. I claim that the pardon has been improperly exercised, and that the power has been utilised to grant a pardon which should never have been given. A pardon cannot be granted in the case of a private wrong. The penalty imposed was imposed by members upon themselves. There has been an interference with the constitution of this House. Something has been done that is outside the King's prerogative. Only the people can elect members to this House, not the King. This action therefore amounts to an interference with the rights of the people. The precedent constitutes a menace to the whole system of justice, and the respect upon which adherence to the law is founded. I therefore ask members carefully to consider all these aspects of the case and to have due regard to their responsibilities to the people which have grown up around the Parliamentary system under which this country is intended to be governed. I ask them to have regard to their responsibilities to the people who placed us in our positions, and jealously to safeguard the integrity and impartiality of the law, the administration of justice to which all citizens are entitled, and the rights upon which constitutional government are founded. This resolution may be referred to as simply an expression of opinion. The law lives and is effective only by force of public opinion. If further action is contemplated by the House, it can only be taken on the expressed opinion of the House, which is sought in the motion, to give support to which I now appeal to members.

On motion by Chief Secretary, debate adjourned.

ADJOURNMENT—SPECIAL.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [8.29]: I move—

That the House at its rising adjourn until Tuesday next, the 4th September, 1934.

Question put and passed.

House adjourned at 8.30 p.m.

Legislative Assembly,

Wednesday, 29th August, 1934.

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

QUESTION—RAILWAYS, STAFF MATTERS.

Overtime and Handling of Goods.

Mr. HAWKE asked the Minister for Railways: 1, How many additional men have been given full-time employment in the railway service since the 1st July, 1934? 2, Is it proposed further to increase the staff, in order that excessive overtime may be obviated and expeditious handling of goods insured?

The MINISTER FOR RAILWAYS replied: 1, 61. 2, Yes, as and when necessary.

QUESTION—ROYAL PREROGATIVE.*Free Pardons.*

Mr. LATHAM asked the Minister for Justice: 1, When was the Royal prerogative granting a free pardon last exercised in this State, and for what offence was the free pardon granted? 2, How many free pardons under the Royal prerogative have been granted in this State since responsible government?

The MINISTER FOR JUSTICE replied: 1 and 2, Apart from the free pardon granted on the 21st August, 1934, in the case of Edmund Harry Gray for an offence against Section 181, Subsection (5), of Edw. VII., No. 27, there is no record.

QUESTION—AGRICULTURE DEPARTMENT LABORATORY.

Mr. DONEY asked the Treasurer: Is it his intention to make provision for expenditure to improve the laboratory accommodation at the Department of Agriculture, and thus facilitate agricultural research?

The TREASURER replied: This matter has been under the consideration of the Government for some time.

QUESTION—FARM LABOUR SUBSIDY SCHEME.

Mr. DONEY asked the Minister for Employment: Having regard to the benefits accruing from the Farm Labour Subsidy Scheme introduced by the previous Government, is he prepared to re-introduce that scheme at an early date?

The MINISTER FOR EMPLOYMENT replied: The alleged benefits mentioned, coupled with the generally altered position, do not warrant the re-introduction of the labour subsidy scheme referred to.

BILLS (4)—THIRD READING.

- 1, Forests Act Amendment.
- 2, Mortgagees' Rights Restriction Act Continuance.
- 3, Reduction of Rent: Act Continuance.
- 4, Supreme Court Criminal Sittings: Amendment.

Transmitted to the Council.

MOTION—GOVERNMENT HOSPITALS.*Working Hours of Nurses.*

MR. NEEDHAM (Perth) [4.35]: I move—

That in the opinion of this House the hours worked by nurses in Government hospitals are excessive, and that the Government should make arrangements to provide that the working hours of probationers, nurses, sisters, and matrons in Government hospitals in this State do not exceed forty-four in any one week, without adversely affecting the present salaries.

Shortly after my election to this House, I commenced to make inquiries regarding the hours of work and conditions of employment of nurses employed at the Perth Hospital. In order that I might have first-hand information, I had an interview with the Secretary of the Hospital Board, Mr. H. Eagleton. That officer rendered me every assistance in endeavouring to secure information regarding the staff employed at the hospital. Having obtained that, I thought it better to fortify myself with further information, and I, therefore, got into communication with the responsible authorities in the Eastern States, including Tasmania. As a result of the comparison I was able to make, I determined to move a motion in the terms I have read to the House. The information I sought was in respect of the hours of work, daily and weekly, the conditions of employment, holiday pay and general conditions. The details I received from the secretary of the Perth Hospital Board showed that the total nursing staff at the hospital numbers 183, of whom 151 are probationers and 32 trained nurses. Their hours of work are from 6 a.m. to 6 p.m. daily, with half an hour off for breakfast, a quarter of an hour off for morning tea, half an hour for dinner, a quarter of an hour for afternoon tea, and one hour off for recreation. They therefore have $2\frac{1}{2}$ hours off duty, leaving their daily hours of work $9\frac{1}{4}$ for seven days in the week. That gives a total of $66\frac{1}{2}$ hours, but every nurse is allowed $1\frac{1}{2}$ days off duty each week, which leaves their total weekly hours at $52\frac{1}{4}$. Those details apply to the day staff. The night nurses work $51\frac{1}{4}$ hours weekly, and night work is considered to be not so arduous as day work. The night nurses have $1\frac{1}{2}$ days off each week, and nurses may proceed to their homes when off duty, if the premises are within a rea-

sonable distance of the hospital. The annual holidays total 28 days. Next I come to the question of salaries. During the first year a nurse receives £26; in the second year she receives £34, and in the third year, £48. To those salaries has to be added the value of board and lodging and uniform, which is roughly estimated at £1 a week. The salary for staff nurses during the first year is £90, which is reduced to £73 16s. under the financial emergency legislation, and in giving the salaries of the staff nurses, I shall refer to the net figures. For the first year they receive, as I have already indicated, £73 16s., and for the second year, £82. The salaries paid to the staff nurses at the infectious diseases branch at Subiaco are £82 for the first year and £90 4s. for the second year. The sisters are paid £98 8s. for the first year, £108 4s. 10d. for the second year, and £123 during the third year. The night superintendent receives £131 4s., and the nurse occupying that position at the infectious diseases branch receives £143 10s.

Mr. Cross: What about overtime?

Mr. NEEDHAM: There is no mention of overtime in the particulars I received from the Secretary of the Perth Hospital Board.

Mr. Cross: They work quite a lot of overtime.

Mr. NEEDHAM: I have also a copy of the award delivered by the State Arbitration Court, as the outcome of the application lodged by the Western Australian Male and Female Mental Nurses' Association. I will give members the information contained in the award regarding the hours of work and remuneration allowed to nurses who work at the Claremont Hospital for the Insane. By the award of the court issued in 1928, their hours were fixed at 88 per fortnight. The award was amended in 1930, when the hours of work of male attendants were increased to 96, but those worked by the female attendants were allowed to remain at 88 per fortnight. Members will see that the nurses at the mental home are working 88 hours per fortnight, as against 105 hours worked by the nurses at the Perth Hospital. As to remuneration, I again find a vast difference. For the first year the female attendant at the mental home receives £92 as against £26 paid to the nurse at the Perth Hospital, with board

and lodging and uniform allowances to be added. In the second year the nurse at the mental hospital receives £100; during the third year she receives £108, and the salary increases annually until, after seven years of service, she receives £127, to which of course, the value of board and lodging has to be added. It will be seen that when the hours of labour and salaries of the female nurses employed at the mental hospital at Claremont are compared with those of the nurses at the Perth Hospital, those who are operating under the award of the Arbitration Court are much better off. I have a reply from the Minister for Public Works and Health in New South Wales showing that pupil nurses start at £81 8s. a year, and in the fourth year reach £116 1s. 8d. Staff nurses for the first year of service receive £128 1s. 3d., rising in the fourth year to £149 6s. 3d. Junior sisters receive £167 18s. 1d., and senior sisters £180 6s. 10d. From those figures must be deducted £45 per annum as allowance for board and lodging, but even when that amount is deducted, the Perth Hospital does not compare too favourably in the matter of hours and salaries. The salaries shown include pay for public holidays. The pay of pupil nurses carries a minimum of £1 17s. per week at the age of 21 years. The hours worked are 44 weekly. The next letter is from the Charities Board of Victoria. It reads—

The public hospitals in this State are not under Government control but are conducted by voluntary organisations subsidised from hospitals and charities fund. Although this board collects a considerable amount of data and examines the transactions of these institutions, we have not on record answers to the whole of the questions you ask. Some of the information is obtainable from the statistical report compiled at this office, a copy of which I send you under separate cover. The secretary of the Melbourne Hospital has supplied me with answers to the questions set out in your letter in respect to his institution, and I hope that these may be of service to you:—

Trained nurses—46.

Probationers—182.

Hours weekly—Trainees: 49 (day nurses); 58½ (night nurses). Senior staff: 50.

Weekly leave—1½ days (day nurses); every fifth night (night nurses).

Annual holidays: Sisters and staff nurses—4 weeks; nurses—3 weeks.

Annual salary: Trainees—1st year, £23 8s.; 2nd year, £35 2s.; 3rd year, £46 16s. Staff nurses—£88 8s. Sisters—£110 10s. to £185 12s. 9d.

The hours are fewer than those worked by the nurses and staff in this State; the salaries are not so good, and the conditions are somewhat similar to those obtaining in Perth. A letter from Queensland states—

The number of trained nurses in the public hospitals in Queensland is 274, and the number of probationers is 1,151. The general conditions of employment, hours of duty, etc., are set forth in the nurses' award, a copy of which is enclosed herewith.

The nurses' hours total 48, which is less than the total worked in Perth, and the salaries paid there are better. The salaries are—

Staff nurses—£105 per annum.

Sister—£110 to £150 per annum, with annual increments of £10.

Matrons in hospitals whose average of occupied beds is under six, £145 per annum; from six to 11, £155; from 11 to 35, £160 to £190, with annual increment of £10; from 35 to 100, £190 to £220, with annual increment of £10; from 100 to 200, £220 to £260, with annual increment of £10; from 200 to 300, £260 to £300, with annual increment of £10; over 300, £300 to £350, with annual increment of £10.

All those salary rates, both maxima and minima, have been reduced by £1 per annum since the 1st July, 1931.

There again the hours are fewer and the wages higher than those obtaining in Perth. Next to New South Wales with a 44-hour week comes Queensland with 48 hours. The following letter is from Adelaide—

Herewith particulars regarding the hours and conditions of the nursing staffs at the Adelaide hospital, viz.:—

Trained nurses, including matron and assistant matron—42.

Probationers—180.

Hours daily.—Charge nurses: 8¼—6.30 a.m. to 8 p.m., with 2¼ hours off for meals and three hours off during day. Probationers: 9¼—6 a.m. to 8 p.m., with 1¼ hours for meals and three hours daily.

Hours weekly.—Charge nurses: 49½. Probationers: 55½, one day allowed off each week.

Annual holidays—21 days.

Annual salary.—Matron: £220, board, lodging and uniform. Assistant Matron: £195, board, lodging and uniform. Sister Tutor: £160, board, lodging and uniform. Out-patients' sister: £165, meals only and uniform. Out-patients' sister: £145, meals only and uniform. Charge nurses: First year £110, board, lodging and uniform; second year £120, board, lodging and uniform; third year £130, board, lodging and uniform; fourth year and after, £140, board, lodging and uniform. Senior charge nurses: £10 per annum increase over

yearly scale, maximum £150 per annum, board, lodging and uniform. Charge nurse, operating theatre: £15 increase over yearly scale, maximum £155 per annum, board, lodging and uniform. Charge nurse, radium department: £153 18s. per annum, nil. Probationers: First year, £30, board, lodging and uniform; second year, £35, board, lodging and uniform; third year, £40, board, lodging and uniform.

General conditions.—Sixteen days sick leave on pay allowed annually; accumulated sick leave on pay allowed, with a maximum of 33 weeks; one month's long service leave on pay after each five years' service, with a maximum of four months.

In South Australia, again, the hours are fewer than those worked in Perth, while the salaries, except for the first year, are slightly better, particularly those for probationer nurses. For Tasmania I have details relating to the public hospitals in Hobart, Launceston and Devon, as follows:—

| | Hobart. | Launceston. | Devon. |
|-----------------------------|---------|-------------|----------|
| Trained nurses ... | 26 | 10 | 0 |
| Probationers ... | 78 | 60 | 34 |
| Hours daily ... | 10½ | 9½ | 11½ |
| Hours weekly ... | 63 | 57 | 69 |
| Annual holidays (weeks) ... | 4 | 4 | 4 |
| Annual Salary— | £ s. d. | £ s. d. | £ s. d. |
| Matron ... | 180 0 0 | 207 | |
| Sub-Matron ... | 127 4 0 | 145 1 7 | |
| Home Sister ... | 110 0 0 | | |
| Sisters ... | 88 0 0 | 104 2 0 | 125 0 0 |
| | 96 0 0 | 113 2 0 | 120 18 0 |
| | 104 0 0 | 122 2 0 | |
| Staff Nurses ... | 56 0 0 | | 100 0 0 |
| | | | and |
| | | | 80 0 0 |
| Probationers ... | 32 0 0 | 36 0 0 | 40 0 0 |
| | 36 0 0 | 40 10 0 | 45 0 0 |
| | 40 0 0 | 45 0 0 | 50 0 0 |
| | 44 0 0 | | |
| Obstetric ... | | | 25 0 0 |

The hours worked in the Hobart and Launceston public hospitals are fewer than those worked in Perth. Only in the Devon hospital do the nurses work a longer week. The salaries paid in the three public hospitals of Tasmania, taken together, are not quite as good as those paid in Perth. That is a review of the hours worked by nurses daily and weekly, the remuneration paid, and the conditions of employment throughout Australia. With the exception of the Devon hospital, the nurses in the Perth Hospital work longer hours, and in some instances are receiving a lower salary than that which is paid in Government hospitals in the Eastern States. I suggest that that is not altogether a desirable state of affairs. I believe every member of the Government is quite sympathetic, and would be anxious to assist in bringing about a better condition of affairs.

I venture to say that that view is shared by all members of the House. We all know exactly the responsibilities of a nurse; we know what onerous duties she has to perform, and that, in order to perform them well and do justice to herself and to the patient, her hours of labour should not be protracted. Not only that, she should work under the very best conditions. With the object of improving her conditions, I have moved the motion. Let me now anticipate some of the objections that the Minister for Health might raise in reply. He will probably say that the Perth Hospital is over-crowded, not only for patients but for nurses, and that in the circumstances the request cannot be carried into effect even if the Government desired to do so. That overcrowding can be obviated. We know the unfortunate position at the institution. It is overcrowded, both for patients and nurses. That is not the fault of the Government or the Minister for Health, but is one of the results of the financial difficulties in which we find ourselves. Some relief could be given pending the choice of another site. It may shortly have to be determined whether the accommodation required can be supplied on the present site, or whether another site must be obtained. Meanwhile relief for the nurses could be given if some members of the resident medical staff were provided with outside quarters. Probably some of the nurses could also be provided with quarters outside, but as near to the hospital as possible. If that is the only obstacle in the way of giving effect to the motion, I think it could easily be overcome. At any rate I advance this suggestion for the consideration of the Minister. Another objection which I know will be raised is on the score of expense. If the hours of the nursing staff are reduced from 52½ a week to 44, the staff will have to be increased. That will mean a greater annual expenditure in salaries. I do not know exactly what the cost would be, or how many extra nurses would be required if the 44-hour week were brought into operation. The sum involved could not be very great, and I regard the expenditure as well worth while. If in New South Wales a 44-hour week can be worked, and if in other States the hours are fewer than they are here, surely we can meet the position in Western Australia. I plead with the Minister that these two obstacles, the increase

in the strength of the staff by the employment of additional nurses consequent upon the shortening of hours, and the overcrowding of the hospital, should not be allowed to stand in the way. Both of these difficulties can be overcome. Accommodation could be found for the additional nurses, as I have suggested, and the money involved would not be very much. It is necessary that the hours of the nurses should be curtailed as much as possible. A 44-hour week is long enough in which to ask a woman to attend the sick and the many difficult cases brought before her. I commend the motion to the House and hope it will be agreed to.

On motion by the Minister for Health, debate adjourned.

MOTION—TRAFFIC ACT.

To Disallow Regulation.

MR. LATHAM (York) [4.55]: I move—

That Regulation 50A of Part V. of the Traffic Regulations, made under the Traffic Act, 1919-31, published in the *Government Gazette* on 29th June, 1934, and laid upon the Table of the House on 7th August, 1934, be and is hereby disallowed.

This may be regarded as a motion dealing with a trifling subject. The regulation in question reads—

The rider of a cycle shall at all times keep within three feet of the left-hand curb or edge of the road in the direction in which he is proceeding except when passing a stationary vehicle or a slow-moving vehicle.

I do not find fault with regulations that are generally submitted to the House, but this is one to which the Traffic Department might well devote further consideration. It is impossible to give effect to it, although the department think it is possible. There are many roads where cyclists cannot keep within three feet of the edge. If they did so possibly the oncoming vehicle would be unable to pass them. There is necessity for some control in this matter. A cyclist has as much right on the road as a motorist. People have it in their heads to-day that motorists must have the right-of-way on every part of the road. That is wrong in principle. Cyclists and pedestrians have as much right to the road as the motorist. Everyone who crosses a road does so at his own risk. If he is injured, provided there is no negligence on the part of the person

causing the injury, he must accept the responsibility.

Mr. Ferguson: Pedestrians have a side piece of the road provided especially for their use.

Mr. LATHAM: And yet they can walk along any street without infringing any by-law or regulation. We tell the pedal cyclist, however, that he must confine himself to a space three feet on the left-hand side of the road. It might be all right if we said these three feet were to be used exclusively for cyclists, but the regulation does not say that. I am surprised that the Minister should have agreed to it. The cycle is the poor man's method of conveying himself from his home to his work, and back again.

The Minister for Justice: Boys are generally the most troublesome and continually ride in the middle of the road.

Mr. LATHAM: The Minister must know that hundreds of men pass over the causeway on cycles every day.

Mr. Ferguson: And every Saturday.

Mr. LATHAM: It is wise to encourage the use of cycles. This brings up the physique of the individual. I do not know what would happen in some parts of England if a regulation like this were in force. In Bedford there are thousands of bicycles. We afford protection to the motorist, who sends his money out of the country when he buys his car, but we restrict the cyclist in the way I have shown. How would the cyclist get along when he turned a corner? He is permitted to run around a vehicle. He has to go round one and then return to the footpath, and he may then have to run round another and come back again. The regulation is absurd, and I hope the House will disallow it. I suggest to the Traffic Department that they might prevent the carrying of passengers on the bars of bicycles.

The Minister for Justice: You mean "dinking."

Mr. LATHAM: That is a wrong practice. I have seen a full-grown woman sitting on the bar of a bicycle. The practice is very dangerous to both parties.

Mr. Withers: Sometimes there is a third person on the machine.

Mr. LATHAM: No bicycle should carry more than one person. It is made for that purpose only.

Mr. Griffiths: It is not a bicycle made for two.

Mr. LATHAM: The department should enforce the regulations to prevent people from riding bicycles with their hands off the handle bar. That is also a dangerous practice. A third matter the department should deal with is to ensure that all cyclists shall have approved lights. If they insist on these three provisions that is all we have a right to expect in the case of cyclists. We should not put up regulations to interfere with the rights of the individual.

Mr. Moloney: Do you always carry out that principle?

Mr. LATHAM: Always. Sometimes we give people too much say, when we ought to control them more than we do. Cyclists should be given the full use of the road just as motorists and horse-drivers are given it. If we provided security for the cyclist and ensured that he would suffer no risk from accident, the regulation might be all very well, but that is not the case. We merely say that this is the piece of road he must use, and it is not for his exclusive use. We give him no protection. He is just as likely to be knocked over on the three-foot space as he would be anywhere else. The regulation may have been brought in to prevent three or four cyclists riding abreast. That could be dealt with under a by-law. It is wrong to pass a bald regulation of this sort. I hope it will be withdrawn, and that something else will be substituted that is more in keeping with the desires of the people.

On motion by the Minister for Justice, debate adjourned.

PAPERS—ROYAL PREROGATIVE OF PARDON.

Disqualification of Hon. E. H. Gray, M.L.C.

MR LATHAM (York) [5.16]: I move—

That all papers dealing with the recommendations made to His Excellency the Lieut.-Governor that a pardon be given to the Hon. E. H. Gray, and all papers relating to the granting of a pardon to the Hon. E. H. Gray by His Excellency, be laid on the Table of the House.

I do not know positively that the Premier intends to treat this as a formal motion, but from indications in the Press I gather that he proposes to do so. If that is his intention, it will save me from making a lengthy

speech. All I want at the moment is to obtain the papers, so that I may ascertain how a pardon came to be granted to a member of Parliament—the most unusual thing, I suppose, that ever happened in Western Australia. My present object is to ascertain what led up to the pardon. If the Premier is prepared to treat the motion as formal, I shall not discuss the matter, unless the hon. gentleman wants me to state—

The Premier: I am willing to lay the papers on the Table now.

Mr. LATHAM: I am perfectly content with that. Any subsequent action I may take is dependent on what I may see in the papers.

Question put and passed.

The Premier laid the papers on the Table.

BILL—CITY OF PERTH SUPERANNUATION FUND.

Second Reading.

MR NEEDHAM (Perth) [5.20] in moving the second reading said: This is simply an enabling Bill to empower the Perth City Council to establish a superannuation fund. When a somewhat similar Bill was before the House in 1928, it passed all stages in this Chamber, but met with a different fate in another place, where it was referred to the cold charity of a select committee, from which it never emerged. The main criticism of the former Bill, indeed I may say the whole of the criticism, came from yourself, Mr. Speaker, and from the member for East Perth, now the Minister for Employment. The principal objection raised by both of you was that all employees of the Perth City Council were not included in the scope of the measure, and that there was no provision for representation of employees on any board that might be appointed by the City Council. Again, a forfeiture clause included in the former Bill did not meet with your approval, Sir. Those features have been eliminated from the present Bill. A perusal of Clause 2 shows that all employees are to participate in the superannuation fund when established. Participation in the fund would be voluntary so far as present employees are concerned, but compulsory so far as new employees

may be concerned. That disposes of the objection to the previous Bill that it did not cover all employees. Clause 2 further provides for the establishment of a board, or some other body of a like nature, to administer the fund, and lays down that there shall be one representative of the employees on that board or body. Again, whereas the Bill of 1928 contained a provision for the forfeiture by employees or their wives, widows or children of an interest in the said fund, or a pension or allowance, as the case might be, this measure makes no such provision. That feature was regarded as highly objectionable by you, Mr. Speaker, and the member for East Perth, because it was thought that an employee, by the expression of his opinion on some important subject, might incur the displeasure of the managing body, when possibly his rights under the superannuation scheme might be forfeited. Thus it will be seen that the features objected to in the former Bill are now absent. The total number of Perth City Council employees is 345, apart from those of the Electricity and Gas Branch. The latter number 360. Thus the grand total of Perth City Council employees is 705. There is no need to say much more in support of the second reading. The measure does not provide for the immediate establishment of a superannuation fund. The passing of the Bill will simply enable the Perth City Council to proceed if such a fund is deemed necessary. I was requested by the Perth City Council to introduce the Bill, and was informed that if Parliament, in its wisdom, thought fit to grant the desired power, the City Council would in due course carry out the proposal. It is superfluous to speak of the advantages of superannuation. I believe that every hon. member is imbued with the necessity for people having something to look forward to, if possible, in the evening of life, instead of becoming dependent. I hope the day is not far distant when something will be done to provide superannuation for all, irrespective of the employees of any particular body. I commend the measure to the Chamber, and move—

That the Bill be now read a second time.

On motion by Mr. Raphael, debate adjourned.

BILL—ROMAN CATHOLIC CHURCH PROPERTY ACT AMENDMENT.

Second Reading.

MR NEEDHAM (Perth) [5.26] in moving the second reading said: This is merely a formal measure. The Bill proposes an amendment of the principal Act of 1912. In order that hon. members may realise the purport of the Bill, I shall read Section 2 of that Act—

The Roman Catholic Bishop of Perth may, from time to time, by an instrument in writing under his hand and seal, appoint the Vicar General of the Roman Catholic Diocese of Perth, and a Priest of the said Diocese, or either of them, his attorneys or attorney to exercise all or any of the powers conferred upon the said Bishop by Section 4 of the principal Act, during the absence of the said Bishop from the State of Western Australia; and it shall be lawful for such attorneys or attorney so appointed, subject to the provisions of Sections 6 and 7 of the principal Act, in the name and on behalf of the said Bishop, to exercise such powers accordingly, and to execute and sign all documents and writings required to give effect thereto.

The Bill proposes to delete the words "during the absence of the said Bishop from the State of Western Australia," and if they are deleted the general power of attorney remains. A considerable time has elapsed since 1911. What was then a diocese is now an arch-diocese. The Archbishop of to-day has frequently found himself; while within the State, at a greater distance from the centre of administration than if he were in, say, Adelaide or Melbourne. During the period of his absence, important documents that have to be signed must await his return. And there is another feature: even Bishops and Archbishops are no more immune from accident or illness than are other mortals. These are two salutary reasons why the principal Act should be amended so that the general power of attorney may be there even although the Archbishop may be within the State. Accordingly I ask the House to carry the second reading, and I request the Government to expedite the passing of the measure. I move—

That the Bill be now read a second time.

MR. LATHAM (York) [5.29]: I have no objection to the Bill. The mover has afforded me an opportunity of perusing it. It is highly desirable that the Archbishop should have power to appoint an attorney during

his absence from the city of Perth, or during incapacitation. It is the general custom to grant such power.

THE MINISTER FOR JUSTICE (Hon. J. C. Willecock—Geraldton) [5.30]: Like the Leader of the Opposition, and through the courtesy of the hon. member in charge of the Bill, I also have had opportunity to peruse it. The original Act set out to vest certain properties in the Bishop of Perth, and provided that when he should be absent from the State he could execute a power of attorney so that the business of the diocese might go on in his absence. The Bill now seeks to give something not quite so wide as that, to allow the Archbishop to grant a power of attorney while he is still within the State. This, of course, safeguards the position even more closely than does the original Act, for the Archbishop will be still within the State and, so to speak, right on the spot if circumstances should arise rendering the revocation of the power of attorney desirable. However, that, of course, is not anticipated. Still, the Bill really conserves the position even more than does the Act. We all know that the Archbishop is not as young as he used to be, and that to a great extent he leaves a fairly large part of the administration to the coadjutor Archbishop. Notwithstanding this, under the existing Act he cannot give a power of attorney while he himself is within the State. The proposition contained in the Bill is eminently reasonable and I think no one can have any objection to it.

MR. McDONALD (West Perth) [5.32]: The Bill, I think, is entirely satisfactory. I know from personal experience that in the case of attorneys in corporations the same difficulty has arisen. They have the power to appoint deputies when out of the State, but when required to travel about within the State they sometimes find it inconvenient because they cannot appoint deputies, although they are a considerable distance from their offices.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

BILL—TENANTS, PURCHASERS, AND MORTGAGORS' RELIEF ACT AMENDMENT.

Second Reading.

Order of the Day read for the resumption of the debate from the previous day.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

BILL—ELECTORAL ACT AMENDMENT.

Report of Committee.

The PREMIER: I said last evening that I would look into the point raised by the Leader of the Opposition regarding this Bill and the Constitution Acts Amendment Bill. I am now advised by the Crown Solicitor that the position under the Constitution and electoral laws of the Commonwealth and the States is as follows:—

Subject to certain disabilities which are not material and subject to certain essential conditions:—

Commonwealth—Franchise extended to:—
(a) British Indians; (b) natives of Asia, Africa, etc., to whom a certificate of naturalisation has been issued under the law of the Commonwealth or of a State if such certificate is still in force.

Victoria—Franchise given to anybody who is a natural born or naturalised British subject irrespective of his original nationality.

New South Wales—Franchise given to anybody who is a natural born or naturalised British subject irrespective of his original nationality.

South Australia—Franchise given to anybody who is a natural born or naturalised British subject irrespective of his original nationality.

Queensland—Franchise extended to:—(a) British Indians; (b) a native of Syria who is naturalised under the law of the Commonwealth; otherwise natives of Asia, Africa, etc., are still disqualified from voting even though naturalised British subjects.

Regarding Tasmania the department has no information. However, in view of the memorandum from the Crown Solicitor, I think there will be no objection to the amendment moved by the Leader of the Opposition. I move—

That the report of the Committee be adopted.

Question put and passed; report of Committee adopted.

BILL—CONSTITUTION ACTS AMENDMENT.

In Committee.

Resumed from the previous day. Mr. Sleeman in the Chair; the Premier in charge of the Bill.

Clause 2—Amendment of Section 15 (partly considered).

Mr. LATHAM: I move an amendment—

That after the words "except British India" the following be added:—"or the territory comprised in the mandate of the Lebanon."

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

Title—agreed to.

Bill reported with an amendment.

House adjourned at 5.42 p.m.

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Thursday, 30th August, 1934.

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

NOTICE OF MOTION—ROYAL PREROGATIVE OF PARDON.

Disqualification of Hon. E. H. Gray, M.L.C.

MR. LATHAM (York) [4.32]: I desire to give notice that at the next sitting of the House I shall move the following motion:—

That this House expresses its disapproval of the action of His Majesty's Ministers in recommending His Excellency the Lieut.