for policy in this regard. This section has been redundant for many years, and the opportunity is now taken to remove it from the Act.

Australian company law permits the investment of foreign capital, and money has been invested in mineral projects here and in other States. It is natural that before so investing, such companies would desire to have mines examined by their own engineers and geologists, and that after investing they would desire some supervision by their own representatives in regard to expenditure and operation.

As the Act now stands in this State, such companies may render themselves liable to prosecution should their representatives undertake any examination or investigation on or in a mine which could be construed as a breach of the section.

Japan and South-East Asia constitute major markets for Australia's products, and Japan buys asbestos, tin, manganese, gypsum, copper, ilmenite, and other Western Australian minerals, and we hope will buy iron ore in very large quantities.

Debate adjourned, on motion by Mr. Moir.

ADJOURNMENT OF THE HOUSE: SPECIAL

MR. BRAND (Greenough—Premier) [6.6 p.m.]: I move—

That the House at its rising adjourn until Tuesday, the 8th October.

Question put and passed.

House adjourned at 6.7 p.m.

Legislative Council

Tuesday, the 8th October, 1963

CONTENTS

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 4.30 p.m., and read prayers.

BILLS (3): ASSENT

Message from the Lieutenant-Governor and Administrator received and read notifying assent to the following Bills:—

1. Firearms and Guns Act Amendment Bill.
2. Occupational Therapists Act Amendment Bill.
3. Beekeepers Bill.

QUESTIONS ON NOTICE

KALGOORLIE SCHOOL OF MINES

Asiatic Students: Practical Work

1. The Hon. J. DOLAN asked the Minister for Mines:

   (1) How many Asiatic students were enrolled at the School of Mines, Kalgoorlie, for—

   (a) 1961;

   (b) 1962; and

   (c) 1963?

   (2) How many of these students were prevented, by any obstacle whatever, from doing all or any part of the practical work associated with the course they were taking?

   (3) If there were any such students, how many were there and what was the nature of obstacles encountered?

   The Hon. A. F. GRIFFITH replied:

   (1) 1961—4 students.

   1962—6 students.

   1963—5 students.

   (2) and (3) Mines have in the past provided vacational employment for students, but, as a result, have been in technical breach of section 291.

ESPERANCE CENTENARY CELEBRATIONS

Government Financial Assistance

2. The Hon. R. H. C. STUBBS asked the Minister for Mines:

(1) Is the Minister aware that the 100th anniversary of the founding of Esperance will be celebrated from the 18th February to the 4th March, 1964?

(2) Is he further aware that a committee has been formed to arrange celebrations at Esperance during the period mentioned?

(3) Will he give consideration to assisting the committee financially on a £2 to £1 basis to further tourism at Esperance?

The Hon. A. F. GRIFFITH replied:

(1) Yes.

(2) Yes.

(3) It is regretted that the assistance sought cannot be provided.

The policy of the Tourist Development Authority is to grant financial assistance for approved projects submitted by local authorities. For example, the Tourist Development Authority is at present considering an application from the shire council at Esperance for a subsidy to build a caravan park. If approved, this park would be built during the centenary year, and would be a permanent reminder of the celebrations as well as providing a much-needed tourist amenity. The authority does not give financial assistance for celebrations such as those proposed.

It may be expected that many places in Western Australia will be celebrating their centenary before very long, and the Government has recently had to refuse a similar application of this nature for a grant from the Treasury.

KOONGAMIA-DARLINGTON RAILWAY

Reopening: Motion

THE HON. R. F. HUTCHISON (Suburban) [4.40 p.m.]: I move—

That this House requests the Government urgently to consider the resumption of regular rail passenger services between Koongamia and Darlington, and the integration of such rail services with the existing omnibus service provided by the Metropolitan Transport Trust, in such a way that those residents of the district who are at present served by public omnibus services would be conveyed to the railhead at Darlington for transfer to the railway passenger service.

In moving this motion, I would like to make a few brief comments in the hope that the Government will consider the petition that has been brought before both Houses. When this line was closed, the Government of the day did give an undertaking that when adequate diesel railcars were available the service would be reopened. In addition, I notice that when the Commissioner of Railways (Mr. Wayne) came here he made a statement to the effect that when he took over in Western Australia the passenger would be his first consideration.

In the Darlington area, among the people who were the passengers on the trains that used to run, are those who have been very vocal; and the population concerned has grown considerably. Therefore, in the interests of the district the railway, if reopened, would serve a very worth-while purpose. The distance involved is not very great as the railway has been reopened to Koongamia; and I think the people who live in the outer suburbs deserve at least a good transport service—and it is certainly not good at the moment.

It is most inconvenient for people, especially women with families, to have to use the present transport, and a train would be a helpful thing when people wished to travel in order to take their families shopping, or to avail themselves of amenities away from the district. I think if the Government were to reopen this line it would find that the service would pay dividends. As people pay taxes for public services, surely good transport is a prerequisite to the requirements of present-day society. We cannot do much without good transport; and a train service to Darlington would be something worth while indeed.

I have presented a petition to Parliament which contains the names of hundreds of people and I would like the Government to give it every consideration, because people do not sign and present petitions lightly. This has been a considered move, and we are asking for just a small thing, as the length of the railway line in question is only about 1½ miles.

As we now have the diesel engines, perhaps the proposition is well within the scope of being commercially payable, and may be it will be possible to accede to the request of these residents. I reiterate that people pay taxes and therefore should be considered in such a basic thing as good transport to a district in an outlying area.

Debate adjourned, on motion by The Hon. A. F. Griffith (Minister for Mines).

METROPOLITAN WATER SUPPLY, SEWERAGE, AND DRAINAGE ACT AMENDMENT BILL

Receipt and First Reading

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

SUPREME COURT RULES

Disallowance of Amendments: Motion

Debate resumed, from the 26th September, on the following motion by The Hon. H. K. Watson:—

> That the rule No. 29A inserted in order LXV of the Rules of the Supreme Court and the amendments to appendix N of the Rules of the Supreme Court as published in the *Government Gazette* of the 7th February, 1963, and laid upon the Table of the House on the 6th August, 1963, be and are hereby disallowed.

THE HON. H. K. WATSON (Metropolitan) [4.45 p.m.]: I am rather sorry this motion of mine has not provoked a greater amount of debate, but perhaps that is understandable because of the rather complicated nature of the question with which we are dealing. The Minister in addressing himself to the motion suggested that I was misinformed, both on the facts and on the purposes and effect of the particular rule of which I seek disallowance.

Mr. MacKinnon was not slow in pointing out that in some respects the Minister himself appeared to be in difficulty and made conflicting remarks. Coming along the Terrace today I noticed that the roadside sermon of Trinity Church said this: Stand up for something and do not fall for anything. I do trust that the House will not fall for the Minister's defence of these rules, because I propose to demonstrate that the Minister's defence is as full of holes as a colander.

The Minister made three points. He said the rules simply regulate costs and that Parliament conferred this power upon the judges. Secondly, he said that as regards salaried practitioners, the Act which Parliament passed in 1960 merely placed Crown Law officers in exactly the same position as solicitors in private practice in relation to costs and counsel fees. Thirdly, as regards the other limb of the rule in question, which involves the prohibition against certifying for second counsel when both counsel are partners, the Minister said that it is merely an amelioration for the profession, other than the separate bar. I trust the House will not be hornswoggled because of these three points.

I submit his three propositions are contrary to fact and common sense. I freely concede that Parliament, by the Supreme Court Act, conferred upon the judges power to make rules relating to costs; and I do not for one moment challenge the right of judges to make rules relating to costs as costs. But I submit that when the power to make rules in relation to costs is used to enforce nostrums or policies, then that is not a proper or valid exercise of the power to make costs; and I suggest that this particular rule comes within that category.

It is one thing to say that counsel's fee or an extra counsel's fee shall not be allowed where in the opinion of the judge the second counsel is acting in the role of instructing solicitor rather than as counsel. That to my mind is understandable, as part and parcel of court practice, when the rule says that where in the opinion of the judge the second counsel is acting more in the role of instructing solicitor than in the role of counsel, the judge may disallow counsel's fee and allow only instructing solicitor's fee.

I have no quarrel with that. But it is an entirely different matter if, for example, a rule is promulgated saying that no second counsel's fee shall be allowed if the junior counsel is a member of the Liberal Party; or that no second counsel's fee shall be allowed if a man is a bachelor; or that no second counsel's fee shall be allowed if a practitioner is a female; or that no second counsel's fee shall be allowed if the practitioner is a salaried officer; or that no second counsel's fee shall be allowed if second counsel is a partner of the first counsel.

To my mind the last-mentioned group clearly would go much beyond the mere power of fixing costs. It is fixing costs for a purpose not within the contemplation of the power given to the courts; and as to whether counsel's fee shall be allowed to a bachelor, to a female, to a salaried practitioner, or to a partner of a senior counsel is a matter, I suggest, for Parliament to deal with.

As I said in moving my motion, Parliament in its wisdom has seen fit to say that where a practitioner is registered, he is entitled to carry on any branch of the profession. When Mr. MacKinnon was speaking, the Minister by interjection attempted to draw an analogy between this Act and the Medical Act; but the analogy, if there is one, is against the Minister's argument, for nowhere in the Medical Act is power conferred upon the Medical Board or any other authority to say that doctors shall not practise in partnership, or if they do practise in partnership that they shall collect fees only in respect of those persons by whom they are consulted.

That would be a matter for Parliament to decide, just as Parliament has decided in the Medical Act that a surgeon who is performing an operation shall not give the anaesthetic if there is another qualified practitioner within five miles of where the

surgeon is performing the operation. These are matters laid down by Parliament. I submit there is no point at all, or if there is one it does not assist the Minister's case, when he mentions the Medical Act.

The first point to which I referred was that of the salaried officer. In dealing with that aspect the Minister said that when two Crown Law officers appear in the same case the judge has still to assess whether or not the Crown Law officer who appears as extra counsel should be paid as such or merely as solicitor attending.

Members will notice firstly that two salaried officers may appear on behalf of the Crown in a court case, and that the judge has discretion in allowing both of them a counsel's fee. The Minister said that that power, which Parliament conferred by the Act of 1960, places Crown Law officers in exactly the same position as solicitors in private practice in respect of costs and counsels' fees. It does nothing of the sort. I have just indicated that in the case of salaried employees of the Crown the court has the power to grant counsels' fees to both of them; but so far as a private practitioner is concerned, if these rules are not disallowed then the position will be that a salaried employee of a firm of solicitors cannot in any case have a certificate granted in his favour.

There is no question of discretion. The rule is final and conclusive. Far from finding that the practitioner employees of solicitors are in the same position as Crown Law officers we find that Crown Law officers and the Crown Law Department are in a much more favoured position. I suggest that was never intended. For that reason I feel—

The Hon. E. M. Heenan: That applies to the High Court.

The Hon. H. K. WATSON: I will come to the High Court later. At the moment I am discussing the Act which this Parliament passed in 1960. We passed that Act on the basis that the salaried practitioner should be entitled to a certificate in respect of counsels' fees.

I come now to the question of counsel who are partners; and the new rule, which I consider should be disallowed, reads as follows:—

> Notwithstanding the provisions of the foregoing Note, the following provisions shall apply in lieu thereof in relation to attendances by counsel, whether in Court or in Chambers, on or after the first day of March, One thousand nine hundred and sixty-three, and before the first day of March, One thousand nine hundred and sixty-four:—

This is the note—

> A certificate for extra counsel shall not be given unless the judge is of opinion that it is warranted
>
> (a) by the importance or complexity of the case or the amount involved therein; and
> (b) by the part taken in the case by the practitioner.

Then it goes on to say this—

> No certificate shall be given in respect of a practitioner who is a partner of the senior counsel, nor in breach of the provisions of Order 65 Rule 29A.

That rule clearly prefers the extra practitioner who is practising solely on his own account as a barrister. But as regards counsel who are partners, the rule clearly prohibits any certificate for a fee for extra counsel simply and solely because the extra counsel is a partner.

In such a case there is no discretion for the judge to say whether the second counsel is or is not acting more in the role of instructing solicitor than in the role of counsel—no discretion at all. The rule simply says that no certificate shall be given in respect of a practitioner who is a partner of the senior counsel. The prohibition is final and conclusive; and I suggest it is an insult to the intelligence of this House for the Minister to assert, as he has done, that all this new rule does is to provide amelioration for the profession other than the separate bar. There is no amelioration here; it is quite clearly a penalty, and whatever it does, the new rule certainly does not have the effect as asserted by the Minister. The new rule replaces the old rule which may be paraphrased thus—

> Extra counsel shall not be certified for as a matter of course. The certificate shall not be granted where, in the opinion of the judge, anyone is acting more in the role of an instructing solicitor than in the role of extra counsel.

I have absolutely no quarrel with that; to my mind that is fair enough and quite in order. But by taking the old rule and filling it with a mouthful of commas, which it does not in fact contain, the Minister would give it an interpretation different from that which I have just suggested.

Mr. MacKinnon had some pertinent remarks to make on this point when he was addressing himself to the motion last week. This reminds me of the occasion in the House some years ago when the late Hobart Tuckey in the early hours of the morning held the House up for half an hour or so arguing the point as to whether there should or should not be a comma in a particular report from a committee of managers. It could well be that by putting twenty commas into a sentence which, in fact, contained only two, we could arrive at an interpretation different from that which could be applied if it were read as stated.

Economy of words never was an outstanding characteristic of the legal profession, and the old rule, I agree, is not without its ambiguity; and the old rule, like the tenth commandment, is not without its surplusage of words. Had I been writing the tenth commandment I would have been satisfied to say: Thou shalt not covet anything that is thy neighbour's. Taking the old rule as printed, I think my paraphrase correctly expresses its sense.

The Hon. F. J. S. Wise: Of course that was the wisdom of Moses, was it not?

The Hon. H. K. WATSON: Yes. I have no desire to compete with Moses this afternoon.

The Hon. F. J. S. Wise: I was wondering.

The Hon. H. K. WATSON: I would suggest that if the old rule means what the Minister says it means, there is absolutely no necessity for the new rule; the new rule would be simply repeating the sum and substance of the old rule. But it is pretty clear to me on reading the note, and it seems pretty clear to quite a few legal practitioners from the point of view of practical working under the provisions of the note, that the new note does impose an added penalty. But whichever way one looks at it, whether from the Minister's viewpoint or from mine, the position is certainly not, as suggested by the Minister, eased or ameliorated so far as partners are concerned.

The Hon. A. F. Griffith: Do you think the old rule would make it easier, financially, for the litigant, or more difficult than the new rule?

The Hon. H. K. WATSON: I will answer that question in a moment. The new rule says in plain and unambiguous language that a certificate shall not be allowed where a junior counsel is a partner of the senior counsel. Mr. Heenan by interjection some time ago referred to the High Court. In the High Court the position is this: If in a High Court sitting at Perth there were a senior counsel and a junior counsel and they were both partners, there would be no question about granting a certificate in respect of both of them. Yet this rule in regard to the Supreme Court serves to create a different position.

A successful litigant can only recover one counsel's fee if this rule is passed; yet in the High Court with two counsel, both of whom are partners, a fee would be allowed without question; provided, of course, they acted as counsel. There would be no question of asking this one or that one: Are you a partner of the other? Nor, in all propriety, should there be.

The Minister then raised the question whether the new rule would mean less expensive litigation for litigants.

The Hon. F. J. S. Wise: Before you leave that point, why do you think the stricture is on the partner?

The Hon. H. K. WATSON: As I explained in moving the motion, I can only assume it is designed to channel more business to members of the separate bar; not that I have any objection to the separate bar, nor do I for one moment wish to detract from the ability of the separate bar. As I said before, I am quite satisfied that the members of the separate bar can, by their own skill and reputation, attract all the engagements they desire. There is no necessity for the court, by putting a slant on a rule relating to costs, to channel business away from the firms into the separate bar.

Under the new rule, Mr. President, you may well find the position developing here that operates in Sydney. So far as the position in Sydney is concerned, I do not think it is an overstatement to describe it as a racket! I would be very sorry to see the bar and the legal practices that have developed in Sydney, through having a separate bar, adopted holus-bolus in Western Australia.

On the question of costs, I will take the illustration given by the Minister; and, without going into figures at the moment, I could, perhaps, explain it this way: At the moment two partners go off to court. Counsel's fee is certified for the first one, then the judge has a look at the second one and he says, "Is the second counsel acting more in the role of an instructing solicitor than a counsel?" If the answer is, "I think he is acting as a counsel," then a fee is certified for him as counsel. If, however, the judge says, "I think he is acting as instructing solicitor," then a fee is certified in a lesser amount for him as instructing solicitor.

The point is that up to date only two fees are involved. The senior counsel gets his fee, and then the second one receives a fee either as counsel or as instructing solicitor. But under this new rule the system which it will encourage is this: We will have a senior counsel and he will have a junior counsel, and then there will be the instructing solicitor. So we will have three in court all the time, instead of two, at the expense of the losing litigant.

The Hon. A. F. Griffith: In other words, you say the allowance of this regulation will make it less expensive for the litigant.

The Hon. H. K. WATSON: It will do nothing of the kind.

The Hon. A. F. Griffith: I know it will not.

The Hon. E. M. Heenan: The allowance for the second counsel is in the judge's discretion.

The Hon. H. K. WATSON: Yes; I think it is. Not only do I think it is, but I can quote an actual experience; and there is nothing like experience, because if one has had experience one can be dogmatic on these things.

In Western Australia in a contest between an individual and the Crown in its right of the Commonwealth one not infrequently finds this position: The Crown is represented by senior counsel and by, say, the Deputy Crown Solicitor. The Deputy Crown Solicitor, who will have prepared the case, goes into court with the senior counsel; so there are two men there, and the court certifies counsel's fee for the senior, and solicitor's fee for the junior.

If we go to Sydney we find that senior counsel is engaged, but the Deputy Crown Solicitor, who has done all the work and knows the case and is most fitted to argue it, is not permitted to appear as counsel. He enters court as instructing solicitor and the Crown hunts round Sydney for a third man who, up till that time, has had nothing to do with the case. Without opening his mouth, he sits in court while the case goes on for four days and collects a very substantial fee for acting as counsel. That is the position, and I would challenge anyone to deny the truth of what I am saying. So when it comes to a question of costs, this new rule could bring about the development of a system which could be at the expense of the unsuccessful litigant.

The actual illustration cited by the Minister when he was addressing himself to the motion was one which involved a sum of £3,500. The Minister said the senior counsel would receive a fee of £175, and the junior counsel would receive £87, making a total of £262. Without allowing any counsel's fee for a partner, and treating a partner as an instructing solicitor, the £87 for the second counsel would be reduced to £31, so that the total cost would then be £206, and the Minister's illustration stopped there. He implied that thereby there would be a reduction of some £60.

However, if the position in New South Wales is to be taken as an example—and I suggest there is no reason why it should not be if this new rule is introduced—we could find this to be the position: Senior counsel would receive a fee of £175; junior counsel—from the separate bar—would receive a fee of £87, and the instructing solicitor would receive an attendance fee of £31. So the litigant would be more likely to finish up, not with reduced costs of £206, as against £262, but with an increased amount of £293, as against £262.

The Hon. A. F. Griffith: You are quite wrong when you say that my illustration stopped where you said it stopped. If you care to read my speech in *Hansard* you will see I carried right through the whole scale up to £175 for the solicitor preparing the case.

The Hon. H. K. WATSON: I have no desire to misrepresent what the Minister said.

The Hon. A. F. Griffith: I have a record of my speech in front of me. Will I send it across to you to let you see it?

The Hon. H. K. WATSON: I have it here, thank you, and on reading it I still say the Minister stopped where I said he stopped. He made no mention of the possibility of senior counsel and junior counsel—both from the bar—and also the instructing solicitor appearing in court, which is almost the natural corollary that would flow from the adoption of this new rule.

The Hon. A. F. Griffith: Would you read from the words, "This may be best illustrated by an example."?

The Hon. H. K. WATSON: Yes, and I have taken that example in my reply.

The Hon. A. F. Griffith: Yes, and stopped at "£31."

The Hon. H. K. WATSON: No, I have taken it up to "£87."

The Hon. A. F. Griffith: You read the next paragraph.

The Hon H. K. WATSON: The next paragraph has nothing to do with what we are discussing.

The Hon. A. F. Griffith: It reads, "Separately, as remuneration for the solicitor who prepared the case for trial and instructed counsel, the scale allowed a fee of £175." What is this commandment you said you would write?

The Hon. H. K. WATSON: I have carefully read what the Minister said, and I have carefully replied to it, and if the Minister cannot understand what he said I cannot help it.

In conclusion, I return to the point I made at the beginning; namely, that these new rules do change and stultify the Statute law; they do deprive legal practitioners of some of the rights which Parliament has conferred upon them by the Legal Practitioners Act; and, as I said before, I submit they do these things in a manner which usurps the legislative supremacy of Parliament. It is for the judges to apply the law and it is for Parliament to enact the law, and Parliament, in its wisdom, has passed the Legal Practitioners Act which provides that legal practitioners shall have the rights which are set out in that Act, and it is not for any court to deprive the legal practitioners of those rights.

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

Ayes—16

Hon. N. E. Baxter	Hon. G. C. MacKinnon
Hon. D. P. Dellar	Hon. R. H. C. Stubbs
Hon. J. Dolan	Hon. R. Thompson
Hon. J. J. Garrigan	Hon. J. M. Thomson
Hon. R. F. Hutchison	Hon. H. K. Watson
Hon. A. R. Jones	Hon. W. F. Willesee
Hon. F. R. H. Lavery	Hon. F. J. S. Wise
Hon. A. L. Loton	Hon. J. D. Teahan
	(Teller.)

Noes—11

Hon. C. R. Abbey	Hon. R. C. Mattiske
Hon. A. F. Griffith	Hon. H. R. Robinson
Hon. E. M. Heenan	Hon. S. T. J. Thompson
Hon. J. Heitman	Hon. F. D. Willmott
Hon. J. G. Hislop	Hon. J. Murray
Hon. L. A. Logan	*(Teller.)*

Majority for—5.

Question thus passed.

BILLS (2): THIRD READING

1. Bee Industry Compensation Act Amendment Bill.

   Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Local Government), and returned to the Assembly with an amendment.

2. Pig Industry Compensation Act Amendment Bill.

   Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Local Government), and returned to the Assembly with an amendment.

OFFENDERS PROBATION AND PAROLE BILL

Recommittal

Bill recommitted, on motion by The Hon. A. F. Griffith (Minister for Justice), for the further consideration of clauses 23 and 28.

In Committee, etc.

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. A. F. Griffith (Minister for Justice) in charge of the Bill.

Clause 23: Filling of vacancy on death or resignation of judge—

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

> Page 20, line 9—Insert after the word "member" the words "or is unwilling to act in a particular case".

The Committee is entitled to an explanation as to why I am seeking the insertion of these words. After the Bill passed the second reading, further consideration was given to this clause, and I now ask the Committee to agree to the insertion of the words, so that in the event of the judge, who is the chairman of the board, not desiring to take part in the deliberations on the application for parole by a prisoner whom he himself had sentenced, he need not do so.

I do not think such instances will occur frequently, but in case they do occur it is wise to have such a provision. During the second reading I pointed out that the judge who will be the chairman of the board takes on a different role when he acts as chairman, from the role he takes on when he acts as judge in sentencing a prisoner in a court of law.

Amendment put and passed.

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

> Page 20, line 14—Insert after the word "office" the words "or in that particular case".

This amendment is consequential on the first amendment.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 28: Meetings of the Board—

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

> Page 21, lines 31 to 33—Delete subclause (1) and substitute the following:—
>
> (1) The Board shall hold such meetings at such times and places as the Chairman determines.

Clause 28 deals with the meetings of the board, and provides for those sittings to be prescribed. My attention has been drawn to difficulties which may arise when the judge who is to be the chairman of the parole board has to attend to his duties as a judge during the times when meetings are prescribed. If the amendment is passed, I have every confidence that the chairman, who will be a judge, will determine the meetings of the board at times suitable to himself and the other members.

The Hon. F. R. H. LAVERY: I can understand a difficult situation arising when the time of a meeting is prescribed and the chairman is not able to attend; in such an event the meeting could lapse.

The Hon. A. F. Griffith: Not necessarily. A difficult situation would be created.

The Hon. F. R. H. LAVERY: I would like to be assured that persons making application for parole will not lose out through the adjournment of a meeting of the board.

The Hon. A. F. GRIFFITH: I presume that the meetings of the board will be held on specified dates, but if circumstances arise which cause a meeting to be held on another date, the chairman will be able to determine the most suitable date in the following week or month. If the dates of meetings have to be prescribed, then the matter would have to be referred to me for prescribing another date in the event of a meeting being adjourned.

Amendment put and passed.

Clause, as amended, put and passed.

Bill again reported, with amendments

UNAUTHORISED DOCUMENTS ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 11th September, on the following motion by The Hon. E. M. Heenan:—

That the Bill be now read a second time.

THE HON. A. F. GRIFFITH (Suburban —Minister for Justice) [5.39 p.m.]: All I have to do is to make a useful contribution to this debate. I have no doubt that Mr. Heenan was prompted by the highest motives when he introduced the measure; and since the Bill was explained to the House I have availed myself of the opportunity to acquaint myself with what actually goes on in the business of debt collecting.

As a consequence of those inquiries I have no hesitation in saying that the passing of this measure will not serve any practical purpose; and I do not think it will serve the purpose which Mr. Heenan intends it shall serve. The honourable member made it abundantly clear that the prime object of the Bill is to prevent debt collecting agencies from making claims on debtors for a collection fee, which is not legally recoverable.

I have before me the Unauthorised Documents Act, and that Act was introduced into this Parliament to prevent some of the practices that were going on at the time. These were practices perpetrated by debt collectors when sending out notices requiring the payment of accounts owing; they made those documents out in a form to resemble summonses, and thereby frightened the debtors into believing that they had received summonses and must pay the amounts shown forthwith.

Parliament decided that to be an undesirable practice, and for that reason the Unauthorised Documents Act was passed. It prescribed certain penalties to prevent people from continuing to take the course of action I have referred to. By accepting the very lucid explanation given by Mr. Heenan, when he introduced the measure, as to the manner in which debt collecting is being conducted, it would be a very simple matter for members of this House to pass the Bill in the hope that the abuses referred to by the honourable member would be stamped out.

In speaking to this measure I shall endeavour to convince members that the passing of it will not promote a cure, but, in fact, may promote a situation which, to say the least, will be far more unpalatable than is the situation which has been created by the passing of the Act. The passing of the Bill may act to the detriment of the very people whom the honourable member seeks to protect.

I suggest that in most cases the demand for a collection fee is by mutual consent. I further suggest that the great bulk of debtors will not support this measure. As so frequently happens with the introduction of legislation of one kind or another, when this Bill was introduced the parties affected contacted members of Parliament, including Ministers, to put forward their views. I received a deputation from a number of people who are engaged in business as debt collecting agents, and I listened to their points of view.

I do not know whether members are aware of this, but through the local court something in the order of 32,000 summonses are issued each year against people owing money. If this Bill becomes law I venture to suggest the number of summonses taken out will be considerably more than the existing number, for the simple reason that debt collecting agencies, rather than send letters of demand to debtors requesting payment of accounts and an additional fee for recovering the debts, will be more prone to issue summonses. The result of that, of course, can readily be seen. The amount the debtor will ultimately pay will be considerably more than he pays under the practice that is now adopted by these people who collect debts on behalf of judgment summonses.

The Hon. R. Thompson: They are not supposed to charge any fees at the present time.

The Hon. A. F. GRIFFITH: As I understand it, there is no law to prevent them.

The Hon. F. R. H. Lavery: There is no law that allows them either.

The Hon. A. F. GRIFFITH: That, of course, is the reason for this Bill. If the Bill is passed then there would be a prohibition against debt collectors making the charge. That is the situation.

The Hon. F. R. H. Lavery: Did you, when interviewing those people, ask them whether the creditors pay the collectors for services rendered?

The Hon. A. F. GRIFFITH: Yes. I will explain that as I go along. Naturally enough the fee which the debt collector hopes to get from the debtor would not sufficiently compensate him for the amount of work he does in connection with the collection of a debt. Mr. Heenan, when explaining the Bill, described the addition of a collection fee as a reprehensible practice and suggested that the recipient of a notice of demand for payment of an overdue account is frequently frightened into payment, not only of the account but also of the collection fee.

Let us examine the moral of one man owing another man money. I do not know whether—or if it is, where—it is written into the law, but I understand it is a debtor's obligation to chase his creditor

to pay the debt rather than have the creditor placed in the situation where he has to chase the debtor to recover the amount owing. I repeat, I do not know where that is written into the law, but I understand that if a man owes money it is his moral as well as his legal obligation to seek his creditor out and make payment of the amount due.

Mr. Heenan said that debtors were frequently frightened not only into making payment of the amount due but also into making payment of the collection fee. If a debtor by receiving a letter asking him to pay the amount which he justly owes pays the amount, the end result is achieved because the creditor gets that to which he is justly entitled, and I do not see that any great wrong has been done. I feel that the honourable member would agree if it were a case of his recovering perhaps his costs in an action where costs may be owing to him for something done on behalf of one of his clients.

What Mr. Heenan really objects to then, is the addition of the collection fee, because there can be nothing wrong in a creditor either himself or through his agent making a request that the man who owes him money should in fact pay the amount due and owing. So, I repeat, the only question in the mind of the honourable member must be that there is an objection to the fee which some of these people have been charging.

He says that if legal proceedings are instituted against a debtor and certain fees are then added, that is an entirely different matter. Now I think that statement is deserving of examination, and if we were prepared to accept it—and I am prepared to accept it to a point—we would find ourselves in the position that we must give consideration to what would be the result of such a state of affairs; because, as I said when I first started to speak on the subject, I feel we may find ourselves in the position where the debt collecting agencies, or the solicitors for that matter, may well, instead of sending a letter for payment, issue a summons straight away, and the amount that the debtor would then be involved in, in payment of the amount of the debt plus costs, would, in fact, be much greater than the amount of the debt plus a small collection fee.

Therefore, I say that I am not at all sure we should not concern ourselves very much with that aspect. If there are collecting firms operating unfairly within the fringe of the law and they be thwarted in their endeavours to obtain collecting fees, we may be sure that they would give a debtor little opportunity to avoid court proceedings. For instance, court fees and solicitors' costs on a debt of £10 would amount to £2 10s., but the debt collecting agent, as I understand it, charges an amount of 5 per cent. of the amount due with a maximum of £3 3s. and a minimum of 5s.

We can well visualise a situation where a man owing £10 may make arrangements with the debt collector to pay it at the rate of some shillings or £1 a week, and it could take quite a long time for the debt collecting agent to recover the amount of money. When he does that in respect of a debt of £10—after sending out a notice requiring payment, and after collecting weekly instalments, issuing receipts, and entering up whatever office records he keeps—he makes a charge of 5s. against the debtor. I am informed by the deputation that the normal practice then is to deduct 10 per cent. from the client or the creditor. Therefore, in all, he gets 15 per cent. for his work. Fifteen per cent. of £10 is £1 10s., and that may be in respect of an amount of work performed by the debt collecting agent over a period. This period can vary. In some cases payment may be made on demand, but in other cases 12 months or even more might elapse before he collects the whole amount.

I believe that members of the Opposition will agree that every man is worthy of his hire and if an agent is performing a function for a creditor, then he is entitled to some recompense for his labours. I repeat that it seems to me a pretty sorry state of affairs when one realises that a small shopkeeper is obliged, perhaps, to place a debt in the hands of a debt collecting agent to recover an amount of money which the debtor should pay because the amount is due and owing. Because the shopkeeper has to give 15 per cent. to the debt collector, then, in fact, the shopkeeper is providing the debtor—the fellow who will not pay—straight away with goods at a discount of 15 per cent. That does not seem to me to be fair.

The Hon. F. R. H. Lavery: It was ever thus.

The Hon. A. F. GRIFFITH: That does not make it right.

The Hon. F. R. H. Lavery: But you cannot deny that it was ever thus.

The Hon. A. F. GRIFFITH: It was ever thus, until the introduction of this Bill—

The Hon. F. R. H. Lavery: No.

The Hon. A. F. GRIFFITH: The honourable member does not even know what I am going to say. It was ever thus, I understand, until the introduction of this Bill, that the debt collector was able to make his charge of 5 per cent. with a minimum of 5s. and a maximum of £3 3s. That is the practice that is adopted, I believe, by all reputable debt collectors. Of course, when a letter for payment is sent out, if the amount due is £10 and the collection fee is added and the debtor sends the £10 in, then, of course, the matter is forgotten.

There is no subsequent action taken to recover the amount of the collection fee from the debtor.

The Hon. F. R. H. Lavery: That is not true always, either.

The Hon. A. F. GRIFFITH: I cannot comment on the interjection of Mr. Lavery as to whether it is not true always, but I would say that the amount is not legally recoverable. I repeat that Mr. Heenan, as a practising lawyer, would agree with me when I say that if any debt collector sued for the recovery of that amount, the payment of the principal amount would be a defence against the recovery of the collection fee. Would not that be so?

The Hon. E. M. Heenan: Yes.

The Hon. A. F. GRIFFITH: Therefore, I repeat that whilst I think the honourable member's intention in this Bill is well meant in fact it may work in a manner opposite entirely to the direction intended. I know the situation in respect of many of these claims, and I repeat I cannot say in reply to Mr. Lavery whether any of these people do try to recover the amount but if they do, they have no legal right to do so.

The Hon. F. R. H. Lavery: I agree with you there.

The Hon. A. F. GRIFFITH: It can react very badly against them of course. The creditor—the man who has supplied the goods, whatever they may be, whether they be food or luxury articles—provides this service to his client with the full knowledge and belief that he is going to be paid for such service, and he should expect to be paid for what he provides. But he finds himself in the position that, because a man comes to his establishment, makes a purchase, and either intentionally or otherwise does not make payment for the goods he has received, he has to put the matter in the hands of either a debt collector or a solicitor; and he suffers financial loss by reason of the fact that the debtor does not seek him out and pay the amount owing.

There is no law which prevents the debtor agreeing to such charge, and I am told that these charges are made and agreed to between the debtor, the debt collecting agency, and the creditor; and, of course, we realise that this also can move us into another field which may have a deleterious effect upon people who want to make a purchase by paying a weekly amount.

There are advantages in a debtor agreeing to meet a weekly payment. For instance, an agent might undertake, with the consent of the creditor, to offer the debtor an extension of time in which to pay his account. This saves the debtor's family legal costs and, perhaps, visits from the bailiff as a result of the service of process. It saves him embarrassment in connection with his friends and other business houses with whom he may be in good or bad standing. It is often an arrangement of convenience. However, with the passage of this Bill such a procedure will be prevented. The fee suggested is a contribution, I think, towards accommodating the debtor during the period of repayment. When he cannot pay the amount in full he is given time to pay, and the added expense incurred by these people is in the form of some contribution towards the expenses that the creditor is put to by reason of the debt being paid by instalments.

I am told that 95 per cent. of all debtors who were granted accommodation in paying their accounts agreed to meet this charge, thereby spreading the costs of the opposing parties. Let us take the example of a debtor who is given two years to repay an account of £100 at one pound a week. He is charged an extra £3 3s.—that is the maximum over a period of two years. It is not a great deal for accommodation over that period. As against this it would cost him a good deal more to do one of two things: either to have his creditor take legal proceedings against him, or for him to go to some financial institution or private person to get a loan of £100 over two years to enable him to pay his creditor.

It would cost a great deal more because, as we all know, the Moneylenders' Act provides for a rate of interest far in excess of that which the debtor finds it convenient to pay now under an arrangement between himself and his creditor.

I think members would be interested to learn of one particular firm that is currently in the process of taking over 50 private schemes of arrangement on behalf of heavily committed debtors. Most of these people will be able to manage their own affairs, so I am told, when they are given a chance to get on their feet and rid themselves of their obligations and get into the good books of the people with whom they trade.

The system is such that instead of their being hounded by a dozen different debt collectors, and being involved in heavy legal costs, this one agent will take the responsibility of sorting out the problem not only for the creditors but also for the debtors themselves. This removes all the worry from their shoulders and will save the people considerable embarrassment as a result probably of the bailiff moving in to take possession of the goods involved.

I do not think there is any purpose in my labouring this proposition further except to say that I interviewed some of the debt collecting people and they told me that the charge I have mentioned, 5 per cent. with a minimum of 5s. and a maximum of £3 3s., was the charge laid down by the reputable people employed in this particular occupation.

The Hon. A. L. Loton: They have their own organisation?

The Hon. A. F. GRIFFITH: They may be grouped in an organisation or they may be individuals practising in the business of debt collecting. I am not sure about that but I think I noticed that one of the persons concerned was trading as a limited company. However, they are following the occupation of debt collecting.

It struck me that their approach was quite a genuine one. They said that they knew there were abuses but so far as the reputable people were concerned they did not want to make a charge greater than the one I have mentioned. They told me they would be quite happy to have an amendment made to this Bill to provide that no fee greater than the one I have mentioned should in fact be paid.

This strikes me as being a reasonable sort of compromise, bearing in mind that I believe every person who performs a service is entitled to get something for it. However I do not think that an amendment to the Unauthorised Documents Act is the right way to go about it. If members will have a look at the Act, and read its purpose and the penalties that are provided thereunder, they will see that it really has no connection with the fact that a person makes a charge for doing something.

The Unauthorised Documents Act says that a person is not allowed to prepare a document which looks like a legal document in order to frighten people into believing that if they do not do something they will be subject to prosecution. Therefore I do not think that the honourable member's amendment is connected with the right Act. If members think it is then I suggest that an amendment to limit the amount that these people can charge to prevent any extortionate charges being made should be agreed to. That would bring everybody into line with the more reputable people engaged in this occupation.

However, for the reasons I have given, I cannot find my way to support this Bill. I think it is wrong to try to fit the words contained in the amendment into the Unauthorised Documents Act. In my view the amendment should be made to some other legislation and therefore I will content myself at present by opposing the measure.

Sitting suspended from 6.8 to 7.30 p.m.

THE HON. N. E. BAXTER (Central) [7.30 p.m.]: First I would like to commend Mr. Heenan for raising this issue, although I agree with the Minister for Justice that the method adopted by Mr. Heenan in the Bill referring to unauthorised documents will in no way solve the difficulty. If I thought it would, I would probably support the measure. I do not think it will solve the problem, and accordingly I cannot support the Bill.

The matter deals with the collection of money by people on behalf of others. This problem is one which could be taken much further, rather than be left to find its own way along the road. We realise that business people often give credit, in most cases after due examination is made of the credit standing of the person concerned. At the end of 30 days in some cases no attempt is made to pay the account, and further statements are sent out which are also possibly disregarded for a matter of months. Finally the creditor becomes desperate and places the account in the hands of a debt collecting agency. This is his only method of obtaining the money, except perhaps by placing the matter in the hands of a solicitor which, of course, could be expensive, not only for the debtor but also for the creditor.

Quite often these sums are not very great individually, but collectively they can amount to a great deal of money. They could also cost the business person concerned a great deal without his having collected half the amount due. I feel that the matter has reached the position where the Government should take some action.

We all remember that after the war a spate of new businesses opened up in this State. I refer particularly to the land and estate agency business and the new agencies which sprang up in the city and its environs. If we cast our minds back prior to the amendment of the Land Agents Act we will recall that some of these people went to the wall, and a number of them used funds belonging to other people. The Government then found it necessary to introduce legislation to place control on the estate agents, by compelling them to have trust accounts for their clients' money and general accounts for their own. It was also necessary to impose a bond on the estate agents and to provide for an audit of their trust accounts.

That set-up is ideal to provide for the registration of people engaged in the debt collecting business. I see no reason why these people should not be registered and subject to a bond, because they are handling substantial amounts of money belonging to other people. The Minister instanced the fact that nearly 22,000 summonses go out annually through the local court; and this would involve a large sum of money. Apart from that there is other money which passes through the hands of debt collecting agencies, which would also amount to a sizeable sum.

One can imagine what might happen if a person of doubtful character entered into the debt collecting business, collected seven or eight thousand pounds and then decided to abscond. Before anything was known about it, he would

be gone; because it is not necessary for him to pay that money to the creditor as soon as he gets it. There is no doubt that a danger does exist. The same sort of thing could happen with money belonging to other people as occurred in the case of land and estate agents some years ago.

It would not be a complicated matter to introduce legislation to deal with this subject along the lines I have suggested. A person who gives credit and finds his account is not paid must pass that account over to a solicitor or to a debt collecting agency, and he should to some degree be free of the cost of collection. The cost of collection should be the debtor's liability. If he does not meet his account, or if he does not make some arrangements to meet it, there is no reason why he should not pay for its collection. It should be a legal charge under the Act, because, as the Minister said, the debtor has a recognised moral obligation to seek out the creditor and pay the account. It should not be the responsibility of the creditor to have the amount collected through an agency.

The Government would be lacking in its responsibility if it did not take this matter up and introduce the necessary legislation. It could do so along the lines of the Land Agents Act, and I believe that would solve the problem. I have discussed this matter with quite a number of business people, and they would be happy with such a set-up. They would then be in the position of dealing with reputable business concerns, and would not be subject to some fly-by-night merchant who might come in, start up and abscond, thus blackening their names as well as his own.

When this sort of thing happens it generally casts a reflection on honourable and reputable business houses, and that in itself should place the responsibility squarely on the Government. The Government should introduce legislation to deal with this matter. For the reasons I have outlined, I cannot support the Bill. It will not achieve what I think ought to be done, and I trust the Government will go ahead and cover the position by legislation.

Debate adjourned, on motion by The Hon. F. R. H. Lavery.

MOTOR VEHICLE (THIRD PARTY INSURANCE) ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 26th September, on the following motion by The Hon. E. M. Heenan:—

That the Bill be now read a second time.

THE HON. R. F. HUTCHISON (Suburban) [7.41 p.m.]: I would like to say a few words on this Bill. I think it would be a very progressive step for a driver who met with an accident to have his life covered by insurance. There have been many cases of hardship as a result of this not being possible at the moment. I know of one such family that met with an accident and suffered this misfortune. The husband and wife met with the accident to which I have referred, but the wife could not claim against her husband. As a result it cost them their home and everything they had, apart from which one of the children was rather badly hurt.

At the time it struck me that this sort of accident was different from anything else that might happen; that is, generally speaking, in a motorcar accident there cannot be any collusion between the man and the woman who might sustain injuries, as the accident is generally caused by an unexpected occurrence. I think a grave injustice is done by the wife or husband not being able to claim, particularly in these days when medical expenses and hospital costs are so high. Something should be done about it, and I agree wholeheartedly with the provisions of the Bill. I hope the House will carry the measure to enable some justice to be meted out in those instances.

In the case of a family man whose wife might be injured, it is almost impossible to get anyone to help in the house. Apart from anything else it would cost an immense amount of money. This, of course, causes great hardship, and it is time something was done about it. The Bill, however, provides for this eventuality, and I think it deserves the support of all members.

Another aspect that must be considered is that insurance premiums are very high, apart from which the owners of private cars make a considerable contribution to the cost of insurance; and I think the least that could be done is to bring this matter into line with other insurances in order that some protection might be given to families in the case of accidents.

THE HON. J. D. TEAHAN (North-East) [7.44 p.m.]: I desire to support the Bill. I have known a number of cases where the wife has happened to be one of the injured persons, and where she was also one of those who were left lamenting. In one case the wife was left sorely lamenting: it was impossible for her to meet the debts incurred by the accident, and she was the only person who was left to make a claim.

I studied the arguments submitted by the Minister for Local Government, and I expected he would put forward some forceful arguments, but the only one I could discern in his speech was a hypothetical case where, say, a spouse—a wife—was awarded some thousands of pounds for damages and in the event of her early

death her husband, who was at fault in causing the accident, would be the beneficiary. That is an odd case; and one can always quote odd cases. One could say a poor family should not be helped—the mother or the children—because the father drinks. It is often said that people in those circumstances should not be assisted because the father uses his money badly.

The correct way to handle a question of this nature is to say, "It is the children we are thinking of, and not the husband who drinks"—and in this instance it is the wife who is occupying our thoughts and who is the one we desire to help in the event of an accident. As I said before, she could be in very poor circumstances. Poor circumstances obtained in regard to the case I mentioned, and the expenses incurred as a result of the accident which occurred when her husband was driving the car were of such a nature that the lady and her family were left impoverished. However, under present circumstances the wife is the only one who is unable to claim.

We find that in at least one State this provision obtains—the spouse is provided for—and I have not read of any reports suggesting that the legislation should be repealed because of the insurance angle. Therefore, I cannot see why, if legislation of this nature operates in that State, it should not be included in our third party insurance legislation. I have much pleasure in supporting the Bill.

Debate adjourned, on motion by The Hon. R. Thompson.

SALE OF HUMAN BLOOD BILL

Second Reading

Debate resumed, from the 26th September, on the following motion by The Hon. A. F. Griffith (Minister for Mines):—

That the Bill be now read a second time.

THE HON. J. M. THOMSON (South) [7.48 p.m.]: This Bill is a short but important one. It consists of four clauses which are of the utmost importance to the community. I would say that by its passage we will ensure the continuation of the procurement of blood through the Red Cross Society—the system which we have now. If we did not take this action, the blood transfusion service could fall into the hands of commercial interests, which would certainly be a retrograde step so far as this State is concerned.

I do not think the Bill calls for very much comment from me, except this: It is of the utmost importance that the present blood transfusion service conducted by the Red Cross Society be continued, not only to ensure the safety of the blood, but also the health of the community and the nation as a whole. I support the measure.

THE HON. R. H. C. STUBBS (South-East) [7.49 p.m.]: The purpose of this measure is to prohibit unauthorised trading in human blood. We on this side of the House agree that this desirable and humane arrangement of voluntary blood donations and the availability of blood to all who may need it should continue. The patent rights enjoyed by the Commonwealth and the States expired, I believe, 18 months ago and, therefore, individual legislation is desirable in all the States to prevent the sale of human blood.

It has been the custom of the Red Cross Blood Transfusion Service for many years to deal in human blood. I believe that Western Australia started its service in 1935 with a donation of £50 from the Lotteries Commission. A blood bank was set up in Western Australia in 1940. In 1940 the patients who needed blood were charged £4 for the first pint, and £3 for each subsequent pint. That money was used to maintain the blood bank. Today blood is given free, and it is also free to anyone who needs it.

In May, 1958, the Wellington Street premises were opened; and, I believe, this very fine building was made possible by a Labor Government. That building cost £187,000 to erect, and it has all facilities for the service involved. I read recently of a saying that a blood bank is where no-one has an account, but where anyone may withdraw any amount he needs at any time. He does not have to pay it back and the bank makes no charge for its services.

As the Minister said, the Red Cross Society has held a monopoly in the procurement and distribution of whole human blood, while the Commonwealth Serum Laboratories have held a monopoly in the production and distribution of the products derived from human blood. As the protection of these monopolies has expired, State legislation, as I said before, is required. The blood transfusion service has become such a complete part of our medical services that people almost take it for granted, and expect blood to be on tap as required, without giving the matter very much thought.

The many voluntary donors who give the essential blood that is necessary deserve the highest praise it is possible to bestow on people. Without this whole blood and the derivatives obtained from blood, medical men would sometimes be helpless. The Red Cross Blood Transfusion Service collects the blood, processes it in its correct groups and sees that it is at a patient's bedside when an emergency necessitates this.

As I said before, the community owes a tremendous debt to the voluntary donors of blood which so often means the saving of a life. The Commonwealth Serum Laboratories process three major blood fractions—albumen, which is used for the

resuscitation of a shocked patient; ibrinogen for haemorrhage; and gammaglobulin. No blood is wasted.

When I was a health inspector I had quite a bit of experience in my district with gammaglobulin. There was a serious outbreak of hepatitis and about 400 people had the complaint. Those who had not contracted the disease were given a shot of gammaglobulin, and apart from one case the people did not become infected with hepatitis. We also know that gammaglobulin is used for rubella, or German measles at a certain time in pregnancy; and it was used for poliomyelitis before Salk vaccine was discovered.

We are concerned that if this legislation is not passed, Western Australia, and Australia, could probably become something like America and Canada. I would like to quote a cutting from *The West Australian* of Thursday, the 27th September, 1962, headed, "Blood Sold in U.S. for £20 a Pint." It reads as follows:—

> Some Americans paid up to £20 for a pint of blood for a transfusion, W.A. Blood Transfusion Service Director, Dr. P. Brain, said yesterday.
>
> The Red Cross in the U.S., he said, had to compete with commercial blood banks which bought blood from donors.
>
> They paid for the blood according to its degree of rarity, and then sold it at a profit to people in need of transfusions.

That could be a weakness in connection with donations of blood. I have read where alcoholics in America sell their blood for a price and then proceed to spend the money. The bad part is that it is well known it takes 24 hours for the fluid in the blood to get back to its levels, and about a month before the blood becomes normal again. If a person for a monetary reward gives blood too often, it is debilitating to the person concerned and is not in the best interests of the person receiving the blood. That type of donor would also not be inclined to disclose any disease he had had; and a disease such as hepatitis can be spread by the giving of blood.

To go back to the Bill, we find there is a penalty of £200. We heartily agree it should be a severe penalty because it is repugnant to us that a different system to the one we know should be instituted. There is very little more I can say except to point out that we on this side of the House heartily agree with the measure and give it our blessing.

Question put and passed.

Bill read a second time.

In Committee, etc.

The Deputy Chairman of Committees (The Hon. G. C. MacKinnon) in the Chair; The Hon. A. F. Griffith (Minister for Mines) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Buying of human blood restricted—

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

> Page 1, lines 11 and 12—Delete all words and substitute the following:—
>
> as being willing to buy,—
>
> (a) human blood; or
>
> (b) the right to take blood from the body of another person.

My colleague, the Minister for Health, undertook to consult Crown Law concerning the wording of this clause as it stands in the Bill to see if it were necessary to put forward amendments in the light of questions raised in another place.

The DEPUTY CHAIRMAN (The Hon. G. C. MacKinnon): The words "as being willing to buy" are being deleted and then reinserted, which is contrary to Standing Orders. The rest of the amendment is phrased in order to make the clause clearer. However, I propose to allow the amendment to proceed.

The Hon. A. F. GRIFFITH: Clause 2 is being set out more clearly than it now appears in the Bill. For that purpose it is necessary to delete the words "as being willing to buy" and reinsert them.

The DEPUTY CHAIRMAN (The Hon. G. C. MacKinnon): It is as well to clarify the position. Under the circumstances it should be allowed.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 3 put and passed.

Clause 4: Selling of human blood restricted—

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

> Page 2, lines 27 and 28—Delete all words and substitute the following:—
>
> sell, or agree to sell,—
>
> (a) human blood (including his own blood); or
>
> (b) the right to take blood from his body.

This amendment is consequential upon the first amendment which was agreed to by the Committee.

The DEPUTY CHAIRMAN (The Hon. G. C. MacKinnon): My previous remarks apply also to this amendment.

Amendment put and passed.

Clause, as amended, put and passed.

Title put and passed.

Bill reported with amendments.

BUSH FIRES ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 25th September, on the following motion by The Hon. L. A. Logan (Minister for Local Government):—

That the Bill be now read a second time.

THE HON. S. T. J. THOMPSON (South) [8.5 p.m.]: I am pleased to see this Bill presented to the House this year. Because of the condition of pastures, the fire hazard in the State is likely to be an all-time high this year. Last session I opposed a similar Bill because of the form in which it was presented. The clause to which I took exception has been deleted on this occasion, and I am happy to support the present Bill.

I would like to say a few words concerning the work done by volunteer organisations, in particular the advisory committees. These volunteer organisations are highly organised throughout country areas. I should like local government authorities to give some consideration in the future to nominating members of advisory committees as representatives on the Bush Fires Board. There are quite a number of representatives on the Bush Fires Board who have been nominated by local government authorities, and some of the representatives could quite well come from the advisory committees, which are actively associated with fire control. I know the matter has been mentioned in the great southern area.

If this were done it would help the Minister concerned to understand the position of volunteer brigades and the volunteer organisations that are assisting fire brigades. There is no need for me to cover the same ground as was covered when the Bill was presented last year. I support the Bill.

THE HON. F. D. WILLMOTT (South-West) [8.7 p.m.]: Like Mr. Syd Thompson, I rise to support the Bill. I do not intend to speak for the same length of time as I spoke when the measure came before the House last year.

The Hon. R. Thompson: It was 10 minutes.

The Hon. F. D. WILLMOTT: All the amendments which were agreed to last session have been incorporated in this Bill, with the exception of one. That was an amendment which I proposed to section 45. I have given an undertaking to the Minister that I will not introduce the amendment on this occasion as I do not wish to delay the passage of the measure. What is now contained in the Bill is necessary, and the sooner it gets on to the Statute book the better.

For the sake of those members who supported my amendment last session, I wish to make it clear that I have not changed my mind concerning that amendment. I reserve the right at some later date to introduce the amendment, probably by means of a private member's Bill. I have much pleasure in supporting the measure.

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.

RIVER BOATS

Amendment of Regulations: Motion

Debate resumed, from the 18th September, on the following motion by The Hon. H. C. Strickland:—

That the amendments to the regulations made pursuant to the Shipping and Pilotage Consolidation Ordinance, 1855 (Act 37 Vict. No. 14), the Jetties Act, 1926, and the Western Australian Marine Act, 1948-1962, published in the *Government Gazette* of the 19th December, 1962, and laid on the Table of the House on the 6th August, 1963, be amended as follows:—

(1) Regulation 2—By deleting all words after the word "boat" in line 3, down to and including the word "fitted" in line 6 of paragraph (a) of the amendment to Regulation 2 of the principal regulations.

(2) Regulation 5—

(a) by substituting for the passage "10 feet" in subparagraph (i) of paragraph (a) of proposed new Regulation 48, the passage "6 feet";

(b) by deleting the passage "on a Saturday, Sunday or public holiday," in line 2 of paragraph (1) of proposed new Regulation 49;

(c) by substituting for the passage "21 years" in line 2 of subparagraph (b) of proposed new Regulation 49A, the passage "17 years"; and

(d) by deleting the passage "carried by, or" in line 3 of proposed new Regulation 51B.

THE HON. R. C. MATTISKE (Metropolitan [8.14 p.m.]: When the Minister for Local Government was speaking to this motion he pointed out that these regulations were made on the advice of a special

advisory committee set up by the Minister to advise him on the control of private and pleasure craft, and so forth. He also stated that the committee made exhaustive inquiries into all aspects of the subject and studied regulations and controls in other places before reaching conclusions and making recommendations.

From my personal observations as a speedboat owner, and as one who for many years has been interested in the river and all the sports associated with it, I consider the move made last year was a good one. There is no denying that full use is now being made of a very beautiful natural asset on our doorstep in the form of the Swan River, but it was necessary to establish some order so that accidents could be prevented and so that those who were interested in the various aquatic sports could enjoy themselves in the best possible conditions.

I agree with Mr. Strickland that there are many things which, at the present time, are governed by regulations, but the regulations could be varied. I feel it would be only fair to permit the committee which originally investigated the various sporting facilities on the river to have the opportunity of considering modifications in the light of the first year's experience.

The points to which Mr. Strickland has now drawn attention should be carefully considered by the committee with a view to making alterations, but I do not think the motion in its present form should be agreed to by the House.

The first major point in Mr. Strickland's motion concerns, in effect, the registration of all boats fitted with power regardless of whether they have a certain sail area or not. I cannot agree with that portion of the motion, because, as we all know, it is necessary for yachts, particularly those over a certain size, to have a power unit to enable them to negotiate the waters when they are entering their moorings or passing through difficult places adjacent to moorings, or through such hazards—if I may call them such—as the bridges at Fremantle. If the yachts to which I am referring have no auxiliary means of propulsion it would be impossible for many of them to get through the bridges at Fremantle. Their primary means of propulsion is by sail, and for that reason I think they are in a totally different category from the powerboats covered by the regulations.

One of the reasons given by the Minister for Local Government against the registration of the auxiliary yachts was that the purpose of the regulations was to enable identification of powerboats on the river to be made so that in the event of their contravening any regulation it would be easy for those charged with the policing of the regulations to apprehend the wrongdoers. We all know that for many years past practically every yacht on the river has carried not only a club identification—which is clearly discernible—but also a name or sign on the mainsail, either of which markings assist in identification, should that be necessary, in the case of a breach of regulations.

Again I feel that the people concerned with yachting on the river have, for many years, done a considerable amount of work with their own finance to develop certain sections of the river and to provide facilities for their own sport. One need only look at the various yacht clubs scattered around the river to see what a magnificent job they have done in providing facilities for their members. As they will not in any way be dependent upon the Government for further development of their facilities, I consider it would be unfair to expect them to contribute money to help, possibly, any other form of development.

The second point referred to by Mr. Strickland relates to permitting powerboats to operate in water having a minimum depth of six feet as against 10 ft. as provided in the regulations. Here again I feel that, while I can appreciate Mr. Strickland's intentions, it would not be a good move to alter the regulation as he suggests. At the present time there are many places where powerboats can operate legally in water having a depth of less than 10 ft.

On Sunday last I went water skiing on the area of the river to the east of Mends Street jetty, and having been thrown from the ski when out towards the middle of the river, I tried to get going again but found it extremely difficult because I was operating on a single ski and at the time the depth of water where I was—300 yards or so from the shore—was no more than three feet. Incidentally, there was a couple of feet of thick slime underfoot. I was absolutely astounded because last year the water in that same place was at least 5 ft. deep. Water skiing is permitted there for the simple reason that it is a specified area. With the approval of the department, skiing, or driving a motorboat at a speed exceeding 8 knots, can be carried out in water of a depth of less than 10 ft., or within 150 ft. of a river bank or low water mark.

If in certain areas in which Mr. Strickland may be interested it is essential that people be permitted to operate powerboats within 150 ft. of the shore or in water having a depth of less than 10 ft., then surely if the matter were drawn to the attention of the Harbour and Light Department, the approval of that department could be given and everyone would be happy. I cannot see that it is necessary to amend the regulations in order to give effect to what the honourable member seeks.

The next point concerns the lack of necessity for a third person to be in a boat towing a skier on a day other than a Saturday, Sunday, or public holiday. This provision has, according to the Minister for Local Government, been included in the regulations to permit two people to have the opportunity of practising water skiing on a week day when normally one would not expect many people to be operating in a particular area. I think it is perfectly safe for such a provision to be included in the regulations, because during the week there is very little water skiing activity.

On a Saturday, Sunday, or public holiday, I grant it is essential to have one person driving the boat and another watching the water skier the whole of the time so that in the event of the water skier being thrown into the water the driver can be immediately warned and can take appropriate action. I do say that is of extreme importance, but only on a Saturday, Sunday, or public holiday. I think it is not detracting from any safety regulations at all to permit two people to have the opportunity to do a little practice on a week day.

The next point, the effect of which is that a person under the age of 17 years must be accompanied by someone of the full age of 21 years if he is operating a speedboat, could have quite a deal of merit. But here I go back to my original point that I think consideration might well be given by the special committee so that if, after considering all aspects of the case, it deems it desirable to amend the regulations, then any alterations can be embodied in the list of various amendments which the committee must surely be placing before both Houses in the very near future. At least, I hope the committee will be doing that.

There is no doubt that people of the age of 17 years can be just as competent as people of the age of 21 years to drive speedboats or motorcars. If we have someone of the age of 17 years in a boat while it is being piloted by a person between the ages of 14 and 17, then I think that should be quite sufficient for any practical safety purposes.

In connection with the carrying of advertisements on boats, I agree with the Minister for Local Government that there must have been some very good reason for this provision to be included in the original regulations, but I personally cannot see the reason.

The Hon. R. Thompson: We want to know the reason for it.

The Hon. R. C. MATTISKE: That is so; but here again, attention having been drawn to this point, I think it might well be considered by the special committee, and if that committee feels that the provision was originally included without being absolutely required, it will have an opportunity to withdraw it.

The Hon. L. A. Logan: Do you think speedboats ought to have advertising signs on them?

The Hon. R. C. MATTISKE: I think it would not do any harm. In the past we used to see tramcars operating along the streets of Perth when traffic was very thick, and those tramcars did not carry passengers but were covered with advertising hoardings. I do not think it will do any harm to permit speedboats, or any other boats, to cruise around the river carrying advertising hoardings. I do not think this is of any great consequence.

The Hon. L. A. Logan: I cannot see any advantage either.

The Hon. R. C. MATTISKE: I agree; but either way I think the important aspect is that Mr. Strickland has drawn attention to the matter and unless there is a very good reason for that provision to remain in the regulations, the advisory committee, having been given an opportunity to remove it, can do so. All in all, Mr. Strickland has done quite a deal of good in drawing attention to these points, but I do not think the motion, as it stands, should be carried by this House and I intend to vote against it.

THE HON. H. R. ROBINSON (Suburban) [8.31 p.m.]: I oppose the motion moved by Mr. Strickland because it affects the yachting fraternity in particular. Downstream, and upstream from South Perth, there are several yacht clubs that will be affected if this motion is passed. I have here a letter addressed to me from the Yachting Association of Western Australia which reads—

> As a controlling body of yachting in W.A., we are concerned at mention of a motion by the Hon. H. C. Strickland to amend the basis of registration of boats, to include auxiliary craft.
>
> These regulations were only recently introduced after very considerable thought and discussion, and consultations between interested parties, and authorities.
>
> It is understood that the Harbour and Lights Department were entirely satisfied with them. Certainly, there has been insufficient time to assess their efficacy.
>
> The regulations were framed to meet the dangers arising from the influx of high speed craft in recent years. The proposed amendment in no way aids this intention.
>
> Auxiliaries are essentially sailing craft, who use a compact power unit (automatically of low power) to assist

in navigating through bridges and mooring areas. From their very nature they are slow craft. In addition, they are invariably handled by experienced yachtsmen, who are unlikely to cause trouble to other aquatic people or to authority.

We deprecate the extension of these regulations unless such proves necessary, and we are requesting the yacht clubs in your constituency to immediately express to you their views.

Quite respectfully, we urge that you do not support this amendment.

The Maylands Yacht Club has made representations to me and expressed the views and opinions of other yacht clubs in my district. Therefore, I feel it is my duty to oppose this motion.

THE HON. H. C. STRICKLAND (North) [8.33 p.m.]: I am rather surprised at the little interest shown by the department and the Government in this motion. When I moved the motion I mentioned that this so-called expert committee would probably consider my proposals and perhaps advise the Minister accordingly, but evidently my motion has received no consideration whatsoever from the committee.

I know the chairman of the committee is the manager of the Harbour and Light Department and he may have seen the proposals contained in my motion, but in his opening speech the Minister himself said he had had a quick look at the motion, which is rather a strange statement. It is also rather strange that when a member puts forward a motion concerning some regulations the Government or the department is not in the least bit concerned. Whatever advice the department did give to the Minister, apparently it misinformed him.

The Minister spoke of persons being licensed to drive speedboats. I do not know whether the department has in mind the licensing of boats on the river, or in other parts of the State, but the Minister, on more than one occasion in his reply, mentioned that somebody may be teaching somebody else to drive a boat who has not got a license, but who will be getting one. I am not certain, but I feel that the department, the Minister, or the Government might have in mind that the intention is to license everybody who drives a boat in the same way as every driver of a motor vehicle is licensed.

I am extremely disappointed at the scant consideration given to the motion by the department concerned. The Minister was certainly not dealing with any statement of mine.

The Hon. L. A. Logan: Yes I was.

The Hon. H. C. STRICKLAND: If he were he did not tell us about it—

The Hon. L. A. Logan: I mentioned every one that you mentioned.

The Hon. H. C. STRICKLAND:—because he was completely mixed up.

The Hon. L. A. Logan: No I was not!

The Hon. H. C. STRICKLAND: The Minister simply saying," "I was not" does not prove that he was not mixed up In my opinion he was mixed up completely because he spoke about licensing the operators of boats on the river. There is no question in my motion of licensing the operators of craft on the river. Anybody can take charge of a craft on the river even by hiring one from a boatshed, without having to hold any license. The regulations are designed for safety. I quite agree with Mr. Mattiske when he says that it is time some order was brought about among the traffic on the river. I agree with what Mr. Robinson has said, to some extent, but for the life of me I cannot see why the people of whom he spoke cannot see beyond the Swan River.

These regulations cover the whole of the State and not the Swan River only. To illustrate how stupid bureaucracy can become when vested with power, two or three years ago, at Point Samson, there was one speed boat and one pair of water skis. It was the only craft of its kind between Darwin and Geraldton, and the Harbour and Light Department put up a notice at the hotel prohibiting the use of that boat and the water skis at Point Samson because of the swimmers there.

That will give members an idea of how ridiculous a situation can become. I happened to be in Point Samson at the time and someone approached me on the matter, and as the manager of the Harbour and Light Department was also present I was successful in getting him to remove the notice. However, it was only with some reluctance that the department decided to overlook the matter. That was one speedboat along 2,000 miles of coastline. It was a speedboat with a 20 h.p. outboard motor powerful enough to tow a water skier.

Such action shows how ridiculous a department can become in policing regulations, and I think some responsibility must be borne by the Government for allowing such regulations to be promulgated. As most members know, after they have been drafted, regulations have to be submitted to Cabinet for approval and then agreed to by Executive Council.

Another ridiculous proposal is that relating to the displaying of advertisements on motorboats. Before anyone can carry an advertisement on a motorboat he must obtain permission from the Harbour and Light Department. Yet one can display whatever one likes on a yacht or a rowboat, because this regulation applies only to motorboats. Just how ridiculous can a regulation become?

The Minister has said that one can draw the long bow when trying to interpret these regulations, but the interpretation I place on the regulation is that one cannot carry a newspaper in a boat because it contains advertisements. The regulation reads—

> Except with permission in writing of the department, a person shall not cause or permit any advertisement or sign to be carried by or displayed on a motorboat.

It applies only to a motorboat. That regulation is too silly for words! It has been proposed by an expert committee, passed by the Minister, who sends it to Cabinet, and Cabinet, in turn, sends it to Executive Council.

The regulations should be amended by this House if no-one else will amend them. Mr. Mattiske has suggested that the expert committee might have another look at them. It might, but on the other hand it might not. It certainly has not had a look at them since I moved my motion, nor has it made a recommendation to the Minister. The manager of the Harbour and Light Department may have done so, but the other members of the committee have not because they certainly would agree with the amendments I have moved. I met the representatives of the Yachting Association of Western Australia at the South of Perth Yacht Club when it held its regular meeting and when I explained the position they agreed with me that some of the regulations are ridiculous.

The Hon. H. R. Robinson: They do not agree with you in this letter they have addressed to me.

The Hon. H. C. STRICKLAND: The only objection the Yachting Association of Western Australia has to my motion is that I mentioned in my speech that all craft should be registered. The motion did not contain those words, but they agreed with me after I explained the position. The representatives of that association do not object to the 10s. fee. What they are concerned about is whether the fee would remain at 10s.

The Hon. H. R. Robinson: Did they say that they withdrew their objections to your motion?

The Hon. H. C. STRICKLAND: They objected to my motion only on that ground.

The Hon. H. R. Robinson: They still objected to it?

The Hon. H. C. STRICKLAND: Yes, of course they did. However, they agreed with a good deal of what was contained in the motion when they realised that the regulation covered the whole of the State. They are concerned only with the Swan River. Nobody gets more from the Harbour and Light Department than the yacht clubs. When I was Minister controlling that department I approved of a house being built at Pelican Point to house an officer of the department so that he could operate a launch that was stationed there to more or less police organised yacht races held at weekends; and, what is more, he was on overtime rates. Therefore, I repeat that nobody gets more assistance from the Harbour and Light Department than the yacht clubs, but they do not want to contribute one penny towards the cost of administration.

The Hon. H. R. Robinson: They have no source of revenue.

The Hon. H. C. STRICKLAND: This is a question of safety and protection for those people who operate yachts on the river. That is the intention of the proposal. If the representatives of yacht clubs say, "We contribute to our own clubs, so why should we pay a registration fee?" one might as well equally argue that if a motorist pays his dues to the Royal Automobile Club he should not be obliged to pay a registration fee for his vehicle. It is the same principle.

However, I think the yacht clubs are beginning to agree with me, because, for the life of me, I cannot see where there is any equity in the regulations proposed. When one considers, in making a comparison, that a small boat of perhaps only nine feet in length with a 2 h.p. motor has to be subject to a registration fee and have a number painted on it because it might be a danger to traffic on the river, whereas a large catamaran which could cut in half a small boat of that size is not required to contribute one penny towards river traffic control, the position becomes ridiculous. I am not greatly concerned with the Swan River; I am concerned with the whole State; while Mr. Mattiske is only concerned with the speedboat angle. He said there are areas of the river in which people can ski in water less than 10 ft. deep. Of course there are, but those areas are prescribed by the Harbour and Light Department, and are specially set aside. But a person on a pleasure launch must reduce the speed to eight knots wherever the water is less than 10 ft. deep. Of course that is ridiculous.

Around Rockingham and Safety Bay boats have to travel two miles out before they can reach a depth of 10 ft.; yet any craft travelling over eight knots would be breaking the regulations. That is not right or fair.

Regarding the comments made by the Minister relating to the question of age, he said that my motion would be the means of preventing a person and his wife or his fiancee from skiing on the river on any days except public holidays Saturdays and Sundays. He said it was not my intention to bring that about. Of course, the regulation is ridiculous, because

a person is not allowed to do that very thing at the present time. The regulation distinctly provides there must be two persons in a speedboat, with one looking forward and the other astern. One must watch the skier being towed while the other must look ahead to see that the craft does not run into anything. All I am seeking to achieve is to have the regulation applied to every day of the week—not merely to Saturdays, Sundays, and public holidays. There are times when school children are on holidays, such as during Christmas, but in those periods the regulation does not apply.

The only objection raised to power boats being brought under control—and they include big yachts which take part in ocean races to Bunbury—is that they should not be registered because they use their engines for the purpose of going under the Fremantle railway bridge or the traffic bridge; but that applies only to the Swan River. There are hundreds of boats plying in other parts of the State which come within the same category. They have more sail area than is required for the purpose of registration; therefore they do not have to pay the fee of 10s. a year. Practically every time I am on the beach I see such boats travelling along on their engines. One can see auxiliary yachts, and vessels almost as large as schooners, which travel along with their engines. Those vessels are equipped to carry the required sail area, but do not use the sail.

When the attention of the Government is being drawn to these matters, it is rather disappointing to see them pushed aside as though they did not matter at all. As members of Parliament we should be able to do something in order to iron out anomalies. I thought it was the duty of this House, as a House of review, to look at matters which concern the State and the people. When we see defects in regulations, such as those in the Navigable Waters Regulations, it is our duty as members of Parliament to amend them; we should not depend on the committee concerned to introduce the amendments. When a committee which is composed of laymen makes regulations, and places them on the Table of the House, we should have the power to amend them. If not, we may as well not attend this House at all. Unless we can take such action we would be powerless as legislators.

I hope the House will agree to the amendments to the regulations. The Standing Orders do not contain provisions for dealing with amendments to regulations under the new procedure. One can only adopt the existing procedure to move for a disallowance of the regulations in question, in the process of which members can vote either for or against the motion. In this instance, when I am trying to amend several regulations, the Standing Orders do not make provision to deal with the amendments individually. For that reason I move—

> That the House resolves itself into a Committee of the Whole to consider the amendments to the regulations individually.

The PRESIDENT (The Hon. L. C. Diver): I will leave the Chair until the ringing of the bells.

Sitting suspended from 8.52 to 9.14 p.m.

President's Ruling

The PRESIDENT (The Hon. L. C. Diver): I cannot accept the motion of The Hon. H. C. Strickland that the House resolve itself into a Committee of the Whole to consider the proposed amendments.

The honourable member has already a substantive motion before the Chair and it was open to any member to move an amendment to that motion before Mr. Strickland closed the debate. The debate has now concluded and the vote must be taken.

I agree that the Standing Orders should perhaps be amended to permit motions for the amendment of regulations to be dealt with in Committee, and I will have action taken for the Standing Orders Committee to consider this matter.

Debate (on motion) Resumed

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

Ayes—13

Hon. N. E. Baxter	Hon. R. H. C. Stubbs
Hon. J. Dolan	Hon. J. D. Teahan
Hon. J. J. Garrigan	Hon. R. Thompson
Hon. E. M. Heenan	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. A. R. Jones	Hon. H. C. Strickland
Hon. F. R. H. Lavery	*(Teller.)*

Noes—13

Hon. C. R. Abbey	Hon. H. R. Robinson
Hon. A. F. Griffith	Hon. S. T. J. Thompson
Hon. J. Heitman	Hon. J. M. Thomson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. L. A. Logan	Hon. F. D. Willmott
Hon. G. C. MacKinnon	Hon. J. Murray
Hon. R. C. Mattiske	*(Teller.)*

The PRESIDENT (The Hon. L. C. Diver): There being an equality of votes I shall vote with the Noes to retain the *status quo*.

Question thus negatived.

House adjourned at 9.19 p.m.