

try: a trunk road connects important towns. I shall observe the spirit of the Act, and use the money for opening up and developing the country, especially outback. I hope that my reply has cleared matters up. During the last couple of years the member for South Fremantle has used his utmost efforts to get the agreement amended I do not blame him for mistakes made. He could not help himself any more than could the Chairman of the Main Roads Board. I hope the second reading of the Bill will be carried.

Question put and passed.

Bill read a second time.

*House adjourned at 8.10 p.m.*

## Legislative Council.

*Tuesday, 23rd September, 1930.*

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

### STANDING ORDERS.

*Report of Committee Adopted.*

**HON. A. LOVEKIN** (Metropolitan) [4.35]: Hon. members will recollect that towards the end of last session the House, by resolution, requested the Standing Orders Committee to consider the operation of the existing Orders with a view to recommending any amendments that might be thought desirable. In furtherance of that resolution, the Standing Orders Committee met and decided to make certain recommendations, which the President has placed before us in a report he laid on the

Table. As the President cannot very well move the adoption of his own report, the Committee requested me to undertake the duty. May I say, at the outset, that the Committee appreciate the infinite pains that the President, as Chairman of the Committee, has taken in the preparation of the various amendments, which are now before hon. members in full on the Minute Paper. I have no doubt the House will also feel its indebtedness to you, Mr. President, for your work. The *raison d'être* of the resolution last session was that one or two matters had arisen on which there was some difference of opinion. In one instance this was between the Legislative Council and the Legislative Assembly in connection with the Criminal Code Amendment Bill. It has been the practice of this House almost from time immemorial that when a Bill reaches us from another place, and is what I might call an open Bill, such as, for instance, a Bill to amend the Licensing Act, the Municipalities Act, or the Criminal Code, and not a Bill to amend a particular section of an Act, for this Chamber to exercise the right to amend such open Bill in any particular hon. members might deem fit. I ask hon. members to follow me in my references to the proposed alterations and to watch the different recommendations that appear on the Notice Paper in full. By Standing Order 191, any amendment may be made to a Bill provided that it is relevant to the subject matter of the measure, but by Standing Order 309, instructions may be given to the Committee to consider amendments that are not relevant to the subject matter of the Act proposed to be amended. The Legislative Assembly's Standing Order 277 also enacts that any amendment may be made by that House, provided that the amendment is relevant to the subject matter of the Bill, or pursuant to any instructions given to the committee. Order 391 of the Assembly's Standing Orders is different from our own with reference to instructions in that it provides that instructions given to a committee must be limited in the conferring of powers to the making of amendments, which are relative to the subject matter of the Bill. Thus in a Bill to amend, say, the Licensing Act, which has been introduced to limit the opening and closing hours, we might under our Standing Orders add a clause prescribing

a different status for the Licenses Reduction Board. Ent under the Assembly's Standing Orders that could not be done because such amendment would not be relevant to the subject matter of the Bill. On this account, differences have arisen between the two Houses. Members will agree it is not desirable in the public interest that legislation, which may be very useful and beneficial to the people, shall not find a place on the statute-book owing to technical differences between the two Houses. We shall all agree that our objective for the common good should be to promote harmony between the two Houses and to that end we should remove all causes of friction or dispute between them. I may add that at a meeting we had with the members of the Standing Orders Committee of another place, that feeling was reciprocated—the feeling that we should promote as much harmony between the two Houses as we could and not allow any friction that was avoidable.

Hon. J. J. Holmes: You can always avoid disputes by giving way.

Hon. A. LOVEKIN: We are not giving away anything. On the point as to what is relevant to the subject matter of the Bill, there is much doubt. It is an elastic phrase. Hundreds of decisions have been given as to what is, and what is not, relevant to the subject matter in particular cases, but no clear definition is to be found among the authorities as to what is relevant to the subject matter of any Bill. To set the matter at rest, the Standing Orders Committee decided to provide an interpretation of the term and this will be added to Standing Order 3 reading as follows:—

Standing Order No. 3. *Interpretation.*—Insert the following:—“‘Subject matter of Bill’ means the provisions of the Bill as printed, read a second time, and referred to the Committee.”

That seems to me to be quite clear, because if a Bill to amend a section in the Licensing Act relative to the Licenses Reduction Board is placed before us, the Bill is read a second time and is then referred to the Committee, it will not be competent to insert in that Bill some clause that has no relativity to it at all but which relates, say, to the closing of public houses. Henceforth, therefore, it will not be in order to propose a clause, as we did last session in the Criminal Code Bill, such not being in accord with

the provisions of the Bill, “as printed, read a second time and referred to the Committee.” I think that will bring the two Houses into line and complete harmony on that particular subject. The Assembly have agreed to insert in their Standing Orders a similar interpretation and I understand that has already been done, the members of the Assembly having adopted the proposal. Most of us will agree that procedure along those lines is best calculated to promote harmonious working between the two Houses and it will not be in any way injurious, because if we desire to amend another section of the Act, it is a simple process to bring in a separate Bill to enable us to do so. The committee next recommend the adoption of a new standing order, to stand as Standing Order 31a under which the President is called upon to nominate not less than two members to act as temporary chairmen of committees during each session. In every other Parliament of which I have any knowledge, temporary chairmen of committees are appointed each session, and it is very necessary that we in this Chamber, where we have one President and one Chairman of Committees, should also have temporary chairmen. Should either the President or the Chairman of Committees be sick or away for some good cause, the other has to do all the work, which is not quite fair, especially towards the end of a session. If we give the President power to nominate two members to act in the capacity I have indicated, we shall come into line with other Parliaments and will expedite the business of this Chamber.

Hon. J. M. Macfarlane: Do I understand you to say that every other Parliament in Australia has a similar provision in its Standing Orders?

Hon. A. LOVEKIN: Either the President has power to nominate temporary chairmen of committees, or there is power in the Standing Orders for that course to be adopted. That applies to all the Australian Parliaments and the British Parliament as well. Members will realise the need for this. I might also say that such is the practice in every other Parliament. The addition to Standing Order 57 is not an amendment, but merely the insertion of words for the convenience of members who may desire to know quickly to what the figures in Standing Order 57 relate. The addition to Standing Order 104 is similarly for the convenience of reference by members. The alteration to

Standing Order 155 will remove an anomaly. Standing Order 388 provides "in all cases the reply of the mover of the original question shall close the debate." Standing Order 155 prescribes that the Chairman of Committees shall be entitled to a vote and may state his reasons therefor. Thus the Chairman might close the debate instead of the mover. He might also, in stating his reasons, sway the result without there being any opportunity of reply. To challenge his pronouncement would lead to another debate which would be objectionable and opposed to the Standing Orders. To rectify this anomaly the committee suggest that the Chairman may only give his casting vote after the appointment of the tellers. Standing Order 162 will then operate. It provides that after the tellers are appointed, members shall not move from their seats until the result of the division has been declared. The next alteration is in Standing Order 179. Curiously, there is no Standing Order which says that a Bill "which the Council may not amend" must be read a first time, although it is provided that such a Bill may be debated on the first reading. The committee has brought this class of Bill into line with other Bills, and provided there shall be a first reading. The next amendment involves a new Standing Order 264a. It reads—

No amendment shall be made in, and no new clauses shall be added to any Bill recommitted on the third reading, unless notice thereof has been previously given.

This is designed for the protection of members. When a Bill becomes an Order of the Day for the third reading, it is generally recognised that finality has been reached. However, it is possible under our Standing Orders to recommit even at that stage and make further amendments. Members interested in the Bill might be absent on the third reading, and it would not be fair to them or right that, perhaps in a thin House, there should be a recommitment and some radical alteration made without notice. The committee have prescribed that recommitment and amendments made on third reading cannot take place without notice.

Hon. J. J. Holmes: What would happen in the closing days of the session?

Hon. A. LOVEKIN: Notice would have to be given unless the Standing Orders had been suspended on the vote of an absolute majority of the House. The amendment

of Standing Order 260 is merely for the purpose of improving the phrasing. New Standing Order 309 is to bring our Standing Order into line with that of the Legislative Assembly, and is the necessary corollary to the interpretation added to Standing Order 3, the object of which I have already fully explained. As regards the amendment of Standing Order 406, the words following the numbers are inserted for the convenience of members, who will not now have to search for the particular matters to which the Standing Orders cited in section 406 refer. Another matter which is designed for the protection of members is proposed in Standing Order 422. Standing Order 120 reads that "the same question shall not be proposed during the same session," except as regards the matter referred to in Standing Order 178. Standing Order 178 declares that a Bill may amend or repeal an Act of the same session. Standing Order 120 also says "this Standing Order shall not be suspended." But Standing Order 422, which is a later Standing Order than either 120 or 178, on strict interpretation, would be held to govern the position. Standing Order 422 says in cases of urgent necessity any standing Order, which would include 120 and 178, may be suspended. There may be occasions when it is necessary to suspend any Standing Order owing to great urgency. An absolute majority of the House has ever control of its business. To meet the case, and to make these Standing Orders more consistent with one another, the committee recommend that the President shall decide as to what is "urgent necessity" in each case. Of course, even the President's ruling might be disagreed with, but such is never likely to occur. The committee have not seen fit to deal with the subject of pressed requests, which has been in contention between the two Houses, for the reason that the matter is in abeyance, the same having been referred, by common consent of both Houses, to the decision of the Privy Council. At the conference with the members of the Standing Orders Committee of the Legislative Assembly, it was agreed that the subject should continue in abeyance until the decision of the tribunal referred to has been made known. It will be as well, I think, that the period of abeyance may long continue. The pressing of a request merely

connotes further consideration. It is now common ground between the two committees that useful legislation should not be lost by reason of technicality, especially having in mind the fact that two deliberative assemblies are concerned, objectively, each acting in the public interest, each recognising that the fullest consideration is highly desirable. Whilst there is no wish on the part of the committee unduly to hasten the consideration of the report, I might perhaps point out that the proposed amendments appear on the minutes with the object of acceleration and for two reasons. Firstly, in view of the unfortunate state of health of our Chairman of Committees, it is desirable that the President should be able to nominate temporary Chairmen at an early date and, secondly, that the Legislative Assembly has already adopted the report of its committee which brings the two Houses into line. I move—

That the report be adopted, and the amendments contained therein be submitted for approval by His Excellency the Governor.

Question put and passed.

#### **BILL—WAGIN HOSPITAL VALIDATION.**

##### *Second Reading.*

Order of the Day read for the resumption from the 18th September of the debate on the second reading.

Question put and passed.

Bill read a second time.

##### *In Committee, etc.*

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

#### **BILL—HIGH SCHOOL ACT AMENDMENT.**

##### *Second Reading.*

Order of the Day read for the resumption from the 18th September of the debate on the second reading.

Question put and passed.

Bill read a second time.

##### *In Committee.*

Clause 1—agreed to.

Clause 2—Amendment of Sections 3 and 4:

Hon. A. LOVEKIN: I congratulate the Government on starting their campaign of economy. I notice that this particular Bill, and others as well, have been printed on smaller paper, and on calculation I find that by the adoption of the smaller paper there will be a saving of at least 20 per cent. in the paper used. I should like an explanation of the distinction between “exclusively secular” and “undenominational.”

The MINISTER FOR COUNTRY WATER SUPPLIES: I have already explained what has happened and I do not know that I can add anything else, beyond saying that the two parties who were at variance on this question have now come to an agreement. The diocesan trustees withdrew their objection on condition that this amendment was made.

Clause put and passed.

Bill reported without amendment and the report adopted.

#### **BILL—ROMAN CATHOLIC NEW NORCIA CHURCH PROPERTY ACT AMENDMENT.**

##### *Second Reading.*

Debate resumed from the 18th September.

HON. A. LOVEKIN (Metropolitan) [5.5]: I should like the Minister to give the House an assurance that the Registrar General, or whoever is the responsible person, is certain that the figures now mentioned in the Bill are correct. The Act at present in force, and which was passed last session, apparently contained incorrect figures, and this time, before we go any further, we should have an authoritative report that the figures now given are beyond question.

THE MINISTER FOR COUNTRY WATER SUPPLIES (Hon. C. F. Baxter—East—in reply) [5.6]: I can give the hon. member that assurance. The Registrar General discovered the inaccuracies and requested that this amending Bill be passed to put the matter in order.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

# **BILL—INDUSTRIES ASSISTANCE ACT CONTINUANCE.**

*Second Reading.*

**THE MINISTER FOR COUNTRY WATER SUPPLIES** (Hon. C. F. Baxter—East) (5.8) in moving the second reading said: Hon. members are well aware of the necessity for this Bill for the continuance of the Industries Assistance Act. As in the past it is merely the usual sessional measure to extend the life of the parent Act for a further 12 months. The legislation has been of great assistance to settlers who have suffered misfortune on the land, and if it had not existed many of our now successful men would not have had the opportunity to succeed. The Act has been a great relief to needy farmers in their hours of trial, and because of its beneficent and sheltering provisions we have acquired wealth producers who would have been lost to the State in the absence of the legislation. Those remaining under the Act are now happily dwindling from year to year and in the rehabilitation, the State is being rewarded by the possession of more unaided producers, and also it is pleasant to know that our public utilities and other modes of revenue are now reaping the results of the assistance rendered in past years. There are now only 208 fully and partly assisted settlers on the board's books and 149 of them are discharged soldiers. Therefore approximately 71 per cent. of the board's active operations are now concerned with soldier settlement. The total number of settlers indebted to the board is now 1,478 and 1,270 of them are not now receiving assistance. Of those, 855 not receiving assistance, with an aggregate indebtedness of £790,081 plus interest £77,458, are now on fixed mortgage, and other inoperative accounts are being dealt with similarly. The advances made by the board during their last financial year amounted to £311,642 and repayments from crops, etc., totalled £419,376. The total advances outstanding at the 31st March last was £1,731,731, and the losses written off to the same date, £767,448. Those written off losses included: bad debts, £413,185; cancelled debts, £86,623; administration and

trading debts, £267,640. The total indebtedness to the Treasury amounted to £2,424,306, on which the average rate of interest paid by the board was 5.6 per cent. From 1924 to 1928 the board was able to finance itself from receipts without having to draw on the General Loan Fund. Last year it was necessary to draw on the General Loan Fund to the extent of £150,982 to finance settlers. As in the previous year that action arose because of the indifferent season and the low price obtained for wheat. The number of clearances granted by the board during the year was 27, making a total of 1,963 since the inception of the board. As stated before, the board's losses up to the 31st March last totalled £767,448 but against that amount the indirect gain to the State has been considerable inasmuch as the value of the crops and other produce grown by assisted settlers exceeds £12,000,000 sterling. During the year no clients were granted assistance. The prospects for the ensuing harvest are indeed very bright, and with a good harvest, the board should be able to work out its salvation without further serious loss of capital. I move—

That the Bill be now read a second time.

**HON. W. T. GLASHEEN** (South-East) [5.13]: It is about 16 years since this measure was first introduced and, as the Minister has informed the House, had it not been for the inauguration of the assistance given in 1913-14. I think it can safely be said that 50 per cent. of the settlers at that time would have gone off the land. Now we seem to be facing an almost similar crisis. In 1913-14 the crisis was one that arose from drought conditions; now it is due to prices, and I find myself thinking that during the next year it will be quite possible that the operations of the Industries Assistance Board will have to be revived somewhat, because I feel sure that a great number of the people now attempting to grow wheat at 2s. 6d. per bushel will require some at least of that original assistance the settlers got on account of the drought of 1913-14. After all these years, it seems to me we might almost regard the Industries Assistance Board as a permanent institution, and I sometimes wonder why every year we have to give our consent to its continuance.

Hon. Sir William Lathlain: Because we do not admit that it is a permanent institution.

Hon. W. T. GLASHEEN: It is true that some of us do not admit that it is a permanent institution. Even so, looking into the future, I will say that anyone who will not admit that the Industries Assistance Board is a permanent institution is more of an optimist than I am.

Hon. H. J. Yelland: An attempt was made to get rid of it last year.

Hon. W. T. GLASHEEN: A partial attempt along those lines was made when the clients' debts were funded. However, as one representing many who have received assistance from the board, and as one who possibly knows a great deal of the detailed work of the board, I am very glad, having regard to the uncertainty ahead of us, that the Industries Assistance Board was not discontinued. Because with the price of wheat at 2s. 6d. per bushel and with no certainty of an improvement for some time to come, we shall need all the original intention to assist those settlers who were suffering from drought conditions in 1914. The difference will be only one of degree, prices instead of drought. All the original intention we had to keep people on the land will be multiplied considerably during the next year or two, and I am pleased to know that it is not the general consensus of opinion that at the present time the Industries Assistance Board should be discontinued. If it were possible, I should like to agree to its continuance, not for another 12 months, but for another five years.

On motion by Hon. H. J. Yelland, debate adjourned.

### ADJOURNMENT—SPECIAL.

**THE MINISTER FOR COUNTRY WATER SUPPLIES** (Hon. C. F. Baxter—East) [5.17]: It is the usual custom when the Budget Speech is about to be delivered in another place by the Premier, that this House adjourns so that members may have the opportunity to hear the Budget at first hand. Therefore I move—

That the House do now adjourn.

*House adjourned at 5.18 p.m.*

## Legislative Assembly,

*Tuesday, 23rd September, 1930.*

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

### QUESTION—ELECTRICITY SUPPLY.

*Damage, East Perth Station.*

Mr. RICHARDSON (for Mr. J. MacCallum Smith) asked the Minister for Railways: 1, What was the extent and nature of the damage done at the East Perth Power Station on the morning of 10th September, and what was the cause of the accident? 2, What is the estimate of the damage done and the cost of repairs? 3, Will new plant be necessary, and if so, at what cost?

The MINISTER FOR RAILWAYS replied: 1, Failure of the economiser sections of No. 3 boiler; flue gas explosion. 2, £1,272. 3, Yes—new economiser sections for No. 3 boiler: cost, £800.

### QUESTION—UNEMPLOYMENT.

*City Council Relief Work.*

Mr. RAPHAEL asked the Minister for Railways: 1, Will he furnish particulars of the number of married men drawing sustenance who were employed by the Perth City Council on relief work during the month of August, and the number of men who were drawing sustenance in Greater Perth during the same period. 2, Is it a fact that the Perth City Council contemplate closing down all relief work, and is it his intention to have only the State Labour Bureau for the registration of unemployed, and thereby abolish the existing ward bureaux?