

Legislative Council

Tuesday, 13th November, 1951.

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

BILL—TOTALISATOR DUTY ACT AMENDMENT.

Read a third time and *passed*.

BILL—LIBRARY BOARD OF WESTERN AUSTRALIA.

Second Reading.

Debate resumed from the 7th November.

HON. SIR FRANK GIBSON (Suburban) [4.33]: I have examined the Bill, and commend the Government for introducing it. I intend to vote for the second reading, but there are one or two amendments which are to be submitted by Mr. Davies and upon which I shall have something to say at the Committee stage.

On motion by the Minister for Transport, debate adjourned.

BILL—PRICES CONTROL ACT AMENDMENT (No. 2).

Second Reading.

HON. E. H. GRAY (West) [4.35] in moving the second reading said: This is a very short Bill but of great importance because it provides one way of trying to check inflation. It will have no effect on businessmen who deal in a proper way, but will render great service to the public. It proposes to increase penalties in the lower court from £100 to £200 and from £500 to £1,500 in the Supreme Court.

I think that we should take notice of the opinion of a very prominent magistrate, Mr. Wallwork, who said some weeks ago that he considered the court should have power to enforce much greater penalties upon profiteers in this State. A statement like that from a man of his

reputation cannot be ignored. The effect of the Bill will be to restrain unscrupulous traders from robbing the people and will be one means of stemming inflation.

Some members will think it a reflection upon the business community. It is not a reflection upon bona fide businessmen, however, but will be a check on that class of person who ignores everyone, pays attention only to his own advancement, and takes every opportunity to get money from the people in any way possible. In short, he is an unscrupulous individual whom we should do everything possible to restrain in times of great inflation such as the present.

The Bill will be repugnant to some people, and it may be argued that it is unnecessary. But I consider that every possible step should be taken to try to protect people and hinder the inflationary trend. The way prices are rising provides striking proof of the impossibility of the various States controlling them, and therefore of controlling inflation. It is unnecessary for me to say that we can do nothing about it; but I think that the authorities should, as quickly as possible, take the necessary steps to hold a referendum, with a view to handing over to the Commonwealth Government control of prices which has proved, beyond a possible shadow of doubt, to be cumbersome and, in fact, impossible for the States.

Hon. N. E. Baxter: That is only your opinion. It has never been proved.

Hon. E. H. GRAY: I am giving my opinion, and the hon. member will have an opportunity to express his. It cannot be gainsaid that the efforts of the States to control prices effectively have failed.

Hon. N. E. Baxter: How? Why?

Hon. E. H. GRAY: Because prices are rising every day.

Hon. N. E. Baxter: Do you not think the same would happen under Commonwealth control?

Hon. L. A. Logan: Of course it would!

Hon. E. H. GRAY: I do not think so; it is a matter of opinion. Commonwealth control would have a far greater impact upon prices than will this Bill. The measure, however, will retard unscrupulous people who, irrespective of the duty they owe the country, get the biggest possible prices from their customers and illegally extort money from the public. I therefore ask members to give this measure serious consideration. It is worth a trial and I have no doubt it will have some effect in restraining the unscrupulous type of individual to which I have referred. I would again emphasise that it will have no effect on the straightforward businessmen and firms in this community. I move—

That the Bill be now read a second time.

HON. N. E. BAXTER (Central) [4.42]: I have listened with a great deal of interest to the remarks of Mr. Gray on this Bill which, he has said, will help to curb inflation. I do not know whether he realises that there are in this State very few dishonest traders and that any malpractices indulged in by those few would not in any way have an effect on the existing inflation.

In my opinion, this measure is harsh in its provisions, particularly in present-day circumstances when the Prices Commission cannot keep up with the work it is asked to do and when traders are therefore placed in the invidious position of having to scratch around, from day to day and from week to week, in an endeavour to find out what are the correct prices for the goods they desire to sell. The Prices Commission does not send out a list of prices to the traders when changes have been made and it is therefore difficult for individuals and firms to know, in many instances, what are the correct prices.

Hon. L. Craig: They sometimes cannot get a correct price for anything up to three months.

Hon. N. E. BAXTER: That is so, and therefore if the fines provided in this measure were to be applied to traders who might by inadvertence charge incorrect prices, it would be very unfair. For that reason I ask members to oppose the Bill strongly. If the Prices Commissioner could do his job—I do not mean that he is not attempting to do so, but that he simply has not sufficient staff—I would support the Bill, but under present circumstances, I certainly cannot agree to the provisions contained in it.

On motion by Hon. H. C. Strickland, debate adjourned.

BILL—LOTTERIES (CONTROL) ACT AMENDMENT.

Second Reading.

Order of the Day read for the resumption from the 8th November of the debate on the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Hon. H. S. W. Parker in the Chair; the Minister for Transport in charge of the Bill.

Clauses 1 to 9—agreed to.

Clause 10—Section 15 amended:

Hon. Sir CHARLES LATHAM: I think the provisions of this clause might be very dangerous as, if agreed to, they would alter this phase of the law. After all, we do throw some responsibility on those whose job it is to see that payments of

money under this legislation are made to the right persons, and I thought that Dr. Hislop was going to speak to the debate on the second reading. Under this measure we are asked to give the Lotteries Commission power to sell land but there is nothing in the Bill to say how it should be sold and I think there should be provision included that any such sale should be by public auction or tender. In effect, the provision here says to the Commission with regard to the payment of prizes, "You may pay out any money you like to anyone"—

Hon. L. Craig: Provided he has a ticket.

Hon. Sir CHARLES LATHAM: Yes, but the Commission does not even have to question the person concerned as to how he came into possession of the ticket, or anything of that sort. This legislation has been in force since 1932 and has contained various safeguards which we are now asked to set aside. The hon. member who interjected may recall a case that had recently to be decided by the court as to the ownership of a winning ticket.

Hon. L. Craig: Yes, and 100 people claimed to be the owners.

Hon. Sir CHARLES LATHAM: I remember that quite a number claimed to be the owner of the ticket.

Hon. L. Craig: It showed that 99 of the 100 were dishonest.

Hon. Sir CHARLES LATHAM: Eventually a handwriting expert eliminated all but two of the claimants and one of those, I understand, withdrew. We have built up a good reputation in this State for the way in which we have conducted our lotteries and I am reluctant to see any of the safeguards done away with. I think progress should be recorded.

Hon. R. M. Forrest: Why was the provision to which you object included in the measure?

Hon. Sir CHARLES LATHAM: It is to relieve the Commission of any responsibility in paying out money. For that reason it has given me great concern. I do not know whether the Minister has a reply; he may have. This is most dangerous where lotteries are concerned. I think it would be worth while to recommit the Bill and make some alteration to the clause. I think we should also provide some method in the Bill by which the Lotteries Commission may dispose of property. It has no power to buy land but as it has now acquired some, we should ensure that there is proper handling of the public's money or land.

Hon. J. G. HISLOP: I regret that I was called out of the Chamber at the time the Bill reached the second reading stage, because I meant to speak on it. One of the matters I wished to raise was the very one referred to by Sir Charles Latham.

The first thing we must remember is that there are a great number of people who dislike lotteries of any sort. In order, therefore, to conduct the State lottery with the approval of the people, we must give to those who object to them every feeling of security that the lotteries are above question.

If we want to relieve the Lotteries Commission of some responsibility which it does not desire to shoulder, we must protect the public's money. If we are to legalise a scheme which is actually a type of gaming, it should be surrounded by every safeguard. I know it is extremely onerous for the Commission to make certain that the winning ticket is the one purchased by the person claiming the prize; but we must give the public an assurance that the lotteries are well conducted. To remove the safeguard that is already in existence is to shake the confidence of the people in the lotteries. Whether we decide to recommit the Bill or not, or ask the Minister to report progress, I move an amendment—

That paragraph (c) be struck out.

Hon. L. CRAIG: I cannot see anything wrong with the paragraph. The first portion means that if someone approaches the Commission and says, "I am the person who signed the ticket; this is the ticket and the signature on it is mine", the Commission is then entitled to pay out the money. The second part of the paragraph means that the Commission will not be responsible for having to say, "Are you sure you are the person? Are you sure this is your signature? Where is your birth certificate? You may not be 21." Is it the Commission's job to do that?

Hon. Sir Charles Latham: Yes, when it is handling public money.

Hon. L. CRAIG: Will members tell me the difference between a lottery ticket and a totalisator ticket? Is there any difference at all?

Hon. Sir Charles Latham: Yes.

Hon. L. CRAIG: There is none, except that the holder of the lottery ticket must sign his name before he collects his prize, but if he loses the ticket, he loses his money. In this case, the Commission would take the ticket and say, "Are you the genuine holder of the ticket?"

Hon. Sir Charles Latham: It says nothing of the sort in the Bill.

Hon. L. CRAIG: Subparagraph (g) (i) reads as follows:—

The Commission may pay out the prize money payable in respect of a prize-winning ticket on receipt of the ticket purporting to be endorsed by the person purporting to be the holder of the ticket with his signature and address.

Hon. Sir Charles Latham: He only has to say it belongs to him.

Hon. L. CRAIG: He signs for the receipt of the prize money. If one buys Commonwealth bonds to the value of £100, and they are lost, should the finder wish to be dishonest he can take the bonds to the bank and cash them. I do not know how the Commission could possibly check the writing that appears on the butts of some of the tickets. Some of the writing is nothing but hieroglyphics. How could the Commission be responsible when recently over 100 people claimed that the signature on a prize winning ticket was theirs, and were willing to swear on oath that it was their signature?

Hon. G. Fraser: It was 2,000 or 3,000.

Hon. L. CRAIG: Well, 2,000 or 3,000. Yet members want to put the responsibility on the Lotteries Commission to find out just whose signature is the true one!

Hon. L. A. Logan: It has carried that responsibility for 18 years.

Hon. L. CRAIG: It has tried to carry it.

Hon. J. G. Hislop: It has carried it very well.

Hon. L. CRAIG: Members should ascertain the extent of the trouble it has gone to and the money it has expended to do so. If one loses a tram ticket, one has to buy another one. The people who buy tickets in lotteries should carry some responsibility. The fact that they buy a ticket and then say, "This is my signature" should be sufficient for the Lotteries Commission.

Hon. N. E. BAXTER: I agree with Mr. Craig. The paragraph merely covers something which the Commission has been carrying out for some time. No person is asked to prove that he is the owner of a prize-winning ticket. If that were the case, every prize winner would have to appear personally at the Lotteries Commission office to collect the money. I have here a ticket given to me by a person in the country who asked me to collect the prize of £1 and pay it to the Spastic Children's Fund. He endorsed the ticket and I can collect the money. That is all the paragraph deals with. So long as the endorsement on the ticket agrees with the signature on the butt in the book held by the Lotteries Commission, that is all that is required. The paragraph is only to ratify what the Commission has been doing for some time past. To ask a person, say, 300 miles away to come to Perth to collect a prize of £1 is absolutely ridiculous. I hope members will not support the amendment.

Hon. G. FRASER: I hope the amendment will not be agreed to. With paragraph (c) included in the Bill, all reasonable responsibilities are imposed upon the Lotteries Commission. A person must first endorse his ticket, and he would be a very foolish individual that endorsed it before

he intended to collect any prize. If an endorsed ticket were lost someone else might endeavour to collect on it illegally.

Hon. L. CRAIG: The same position would arise if a person lost an open cheque.

Hon. G. FRASER: Of course. Has not the owner of a ticket to accept some responsibility? If he lost a £5 note in the street, anyone who found it could cash it. The position is the same in that respect. If the amendment were agreed to, the effect would be an intimation to the Commission that it must satisfy itself respecting the ownership of every prize-winning ticket.

We would then have to insert in the Bill some direction indicating to the Commission what steps it must take to make sure that the person presenting the ticket was the individual who had bought it. If a statutory declaration were required, how would people in the country districts or even in the outer metropolitan suburban areas be situated? Would they be expected to travel to Perth in order to collect a prize of £1? The whole proposition is ridiculous. Dr. Hislop gave no explanation as to how that difficulty could be overcome.

Hon. J. G. HISLOP: It is a curious point of view to adopt that if we take something out of the Bill we totally alter the whole position. What nonsense! It is not a matter of inserting some provision to intimate just how the Commission shall operate. Over the past 18 years the Commission has taken the necessary steps and by its efforts to ensure that prizes were collected by the persons entitled to them, has raised the standard of lotteries here to a very high level. Many people disagree entirely with lotteries and if we make the conditions one whit looser than they have been over the past 18 years, we could easily destroy the faith of the public in the operations of the Commission. It has gone to extreme lengths to achieve its objective.

Hon. L. CRAIG: It will continue to do so. The paragraph deals only with the question of legal responsibility.

Hon. J. G. HISLOP: If we leave it as at present, the position will be as it has been.

Hon. G. FRASER: The amendments embodied in the Bill are the result of the experience of the Commission over the years since its inception.

Hon. A. L. LOTON: Perhaps with a view to making the position easier.

Hon. G. FRASER: I do not think so. The Commission will take all necessary precautions with regard to the payment of prizes. Apparently it has been found that the inclusion of this particular saving paragraph is essential to avoid unnecessary investigations.

Hon. J. G. HISLOP: It may affect public confidence.

Hon. G. FRASER: I do not think public confidence will be weakened to any extent at all, because we can assume that the Commission will carry on as it has in the past. The paragraph will merely relieve it of some legal liability as regards this one phase.

Hon. N. E. BAXTER: Dr. Hislop is of the firm opinion that the Lotteries Commission should go to considerable trouble to make sure that the holder of a ticket is the genuine owner. Is that sort of thing done by the banks? If a person writes out an open cheque and loses it and someone finds it and cashes it, no responsibility attaches to the bank. The same applies to a lottery ticket. The paragraph refers mainly to lost or stolen tickets, and they would not represent any considerable percentage of the tickets sold.

Hon. H. C. STRICKLAND: The provision in the Bill will relieve the Commission of the necessity for much searching and also of some legal responsibility. Tickets are sold to persons who reside in different parts of the world and we have heard of holders of winning tickets living in Canada and other countries. If the Commission is required to prove that such persons are the real owners of winning tickets, it will be put to no end of trouble.

The MINISTER FOR TRANSPORT: The Bill was introduced by the Minister for Agriculture and I have had no opportunity to study his notes. I understand the Lotteries Commission asked for the amendments embodied in the Bill in order to assist it in carrying on the work entailed by the lotteries. The Commissioners are very jealous of their reputation and are conscious of the need to do a good job. They are conscious, too, of the confidence reposed in the Commission by all sections of the community.

The Commissioners are not likely to ask for anything calculated to destroy that confidence. All their transactions are subject to strict supervision and audit. The powers sought are merely to legalise certain practices that have grown up over the years. I ask the Committee to accept the paragraph requested by the Commission as necessary for the proper exercise of its duties.

Amendment put and negatived.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—NATIVES (CITIZENSHIP RIGHTS) ACT AMENDMENT.

Received from the Assembly and read a first time.

BILL—CONSTITUTION ACTS AMENDMENT.

Second Reading.

HON. E. H. GRAY (West) [5.13] in moving the second reading said: The Bill seeks to amend the Constitution Acts Amendment Act of 1899. Over a long period of years, full credit for endeavours to improve the franchise as it affects this House and for making the law more modern in that respect, must be given to the Labour Party. I have been a member of this Chamber for nearly 29 years, and I have spoken almost as much in an endeavour to improve the franchise as I have in connection with bread legislation.

Hon. L. Craig: And with less success.

Hon. E. H. GRAY: Yes, unfortunately.

Hon. A. L. Loton: Did a member of your party propose this particular amendment?

Hon. E. H. GRAY: For years we have tried to widen the franchise, and in recent years interest in the question has been widened. Nowadays the members of more than one political party have asked for an improvement in the franchise for this House. For example, some years ago a Select Committee inquired into this question and presented a report. Speaking from memory, its recommendations were practically the same as the provisions contained in this Bill. I do not think the House can ignore the findings of a Select Committee which diligently examined the proposition and made recommendations. In 1946, Sir Hal Colebatch tried to pilot a Bill, practically the same as this, through the Chamber.

Hon. Sir Charles Latham: What happened to him?

Hon. E. H. GRAY: He made a splendid effort with eloquent advocacy but his Bill was defeated by 11 votes to eight. Later, in 1947, Mr. Parker, as Leader of the House, introduced, on behalf of his Government, a Bill practically similar to this. His measure was debated and kicked all over the place by those members who opposed it. We did our best to help the Minister, as Labour members generally do in this Chamber, but that Bill, too, was defeated by 14 votes to 13.

Hon. L. Craig: You think you are getting closer and closer, and that you will get a tie this time.

Hon. E. H. GRAY: There have been some changes in this House since 1947, and I am not too optimistic, I think, if I expect that the new members will represent progressive thought in the community, and that they will be on our side. Therefore I anticipate the Bill will be carried with their assistance. The chief amendment in the measure is to give the wife of a householder the fran-

chise for this Chamber. Women are taking an increasingly bigger part in public life, and in organisations which affect the welfare of the people.

Hon. J. A. Dimmitt: What about the wife of a freeholder?

Hon. E. H. GRAY: She would have a vote as the wife of a householder.

Hon. J. A. Dimmitt: She is not provided for in the Bill.

Hon. E. H. GRAY: No.

Hon. N. E. Baxter: She does not count as much as the wife of a householder.

Hon. E. H. GRAY: I prefer the wife of a householder.

Hon. H. C. Strickland: Does the Bill contain some Government amendments?

Hon. E. H. GRAY: The Government has toned it down a bit. Women have, by hard work and conscientious service, earned the right to the franchise for this Chamber. With the exception of heavy physical work, women during the last war carried out skilled work, in many instances, better than men. In industry, administration, and many sections of our social life, women do equally as well if not better than men, and I consider they have earned the right to the franchise for this House. I would like any opponents of this Bill to give reasons why women should not be given the vote. The Bill represents a progressive step. If any hon. member wants to give the vote to the wife of a freeholder, I do not think the proposition will be acceptable to the Government. An amendment to that end can be moved in Committee, but I do not think it necessary, and I will oppose it.

Hon. J. A. Dimmitt: Why?

Hon. Sir Charles Latham: Why not be consistent and give it to all the wives?

Hon. E. H. GRAY: If she lives in the house, she is the wife of the householder and therefore, under the Bill, would have a vote.

Hon. J. A. Dimmitt: No.

Hon. E. H. GRAY: Yes, she would. If a woman does not live in a house, she would be living in a flat and we have included an amendment which will allow of people who live in flats to have a vote. This, speaking from memory, was a recommendation of the Select Committee to which I have referred. The position today is far worse than when a similar Bill was previously before the Chamber.

Thousands of people are unable to get houses because the shortage is so acute. They are, therefore, compelled—particularly young married people—to live in rooms or flats. Under the Bill, persons living in self-contained flats will have the right to vote for members of this

House. I impress upon members that many ex-servicemen and women who in ordinary circumstances would be living in houses, cannot get homes and so have to live in flats. This is an additional reason why the amendment to grant the franchise to people living in flats should be agreed to.

Hon. N. E. Baxter: What is the amendment in Clause 3?

Hon. E. H. GRAY: I shall refer to it later. I am taking the most important ones first. Another amendment is to give a young man of 21 years of age the right to stand as a candidate for this Chamber. The amendment is to replace the figures 30 by the figures 21.

Hon. N. E. Baxter: Do you think that is wise?

Hon. E. H. GRAY: I do, and I am depending upon the support of my friend Sir Charles Latham to help carry this amendment because it closely affects him. Today we call upon our young men of 18 years of age to undertake military training, and from what I have seen the first camps that have been held under universal training have been most successful, and have done a lot of good for the young men.

Such camps bring them to maturity quicker than usual. If they are called upon to undergo training in order to defend this country, they should also be given the right, when they reach the age of 21 years—three years after commencing training—to stand as candidates for the Legislative Council if they so desire. The next amendment will not be too popular here, but I think it is a good one; it is to abolish plural voting and to give the freeholder the right to select which province he shall vote for.

Hon. N. E. Baxter: This is a bit inconsistent with the amendment giving the wife the right to vote.

Hon. E. H. GRAY: No. Plural voting is old-fashioned, wrong and unjust, and we should not tolerate it. The principle is wrong. The number who would come under this heading would probably be few, but even so, why should anyone be given the right to plural voting which, in other countries, has outlived its usefulness and been dropped ages ago? Another argument in favour of passing this measure is that "The West Australian" recently published a sub-leader advocating the provisions of the Bill.

It is not often I stand in the House and advise members to follow "The West Australian," but I think it deserves credit for its progressive editorial, and I recommend members to accept its advice. "The West Australian" says that we must set the franchise of this Chamber on a modern basis. Therefore I am hopeful that members will seriously study the amendments, which are simple, and which

will be of great benefit to the State. If we pass the Bill we will include amongst those who enjoy the franchise a large team of good people whom we honour—women and others who are today denied the privilege of voting. It will be in the best interests of the State to pass the measure. I move—

That the Bill be now read a second time.

HON. E. M. HEENAN (North-East) [5.26]: As Mr. Gray has pointed out, this is a small measure, but I think all will agree that it is an important one.

Hon. H. L. Roche: It is very interesting.

Hon. E. M. HEENAN: Yes. It deals with a most interesting subject, and one which we should all stand up to and face. I am not going to get carried away, as perhaps I have on former occasions when dealing with similar measures, because I think the case in favour of some revision of the franchise for this House is very strong and long overdue. The Bill does not alter the franchise in a radical way at all. As Mr. Gray has stated, one of its provisions is to alter the section of the Act which at present makes it mandatory for a person who wants to be a candidate for the Legislative Council to be 30 years of age.

The proposal here is to alter the age to 21, and, as has been pointed out by Mr. Gray, there are cogent and logical reasons why the age should be reduced from 30 to 21. The common law of the land gives a person who attains the age of 21 years certain rights and responsibilities. It does this because it assumes that when a person reaches that age he is sufficiently mature to shoulder the responsibilities, or most of them at any rate, of citizenship. As Mr. Gray pointed out—and this is a subject on which I do not wish to dwell—when a young man is 21 he serves his country, and he is eligible to get married.

Hon. H. L. Roche: Cannot he get married before then?

Hon. E. M. HEENAN: Yes. In addition, he is eligible to vote for the Legislative Council and for the Parliament of Australia. There are many reasons in favour of the Bill that will appeal to members and which will quickly come to their minds, so I shall not weary the House by reiterating them. I respect the views of those who say, "You should be 30 years of age before you can become a Legislative Councillor." If members feel that we should persist in that attitude, I can only disagree with them. I can see no difference between the responsibilities confronting us and those confronting the Assembly, the House of Representatives or the Senate, that justify us in maintaining the attitude that the Legislative Council of Western Australia must be different

from all those other bodies and that no-one is mature enough to enter this Chamber until he reaches 30 years of age.

Hon. A. L. Loton: You do not believe in compulsory voting, either, do you?

Hon. E. M. HEENAN: That is not analogous to the subject under discussion. If the hon. member questions me on a subject I am discussing, I will reply to him; if he can advance reasons why candidates for this Chamber should be 30 years of age, and can make out a case better than the one I am trying to put up, then good luck to him.

Hon. N. E. Baxter: Would you vote against Clause 3?

Hon. E. M. HEENAN: I think that part of the Bill is one to which the majority of us could agree; but if we cannot agree, and it goes overboard, that is that. There is another clause which follows that one and, as Mr. Gray pointed out, it simply seeks to extend the franchise to the wife of a householder. A householder must be 21 years of age and must be occupying a house of a certain standard.

Hon. A. R. Jones: Not necessarily 21 years of age. Under certain conditions, he could have a vote prior to that.

Hon. E. M. HEENAN: The hon. member can tell us about those conditions when he speaks. Many years ago I had a vote when I was 18 years of age because at the time I was serving in the A.I.F. But there are not many similar circumstances existing today. Generally speaking, a householder has to be 21 years of age and must be occupying a house of a certain standard. This clause is really the crux of the whole Bill—whether we are to give a vote to the wife of a householder.

A similar measure to this was the subject of a Select Committee a few years ago. There were some other provisions in that Bill, but the Select Committee wiped them out. With reference to the views expressed by Mr. Jones, Mr. Baxter and others who generally oppose the liberalising of the franchise, the Select Committee unanimously recommended giving a vote to the wife of a householder and the Select Committee took evidence from a number of Government officials and public persons. By interjection, Mr. Dimmitt asked whether a vote could be given to the wife of a freeholder. My answer to that is that it would be unnecessary and redundant to give a vote to the wife of a freeholder.

Hon. N. E. Baxter: That is not so.

Hon. E. M. HEENAN: That would be so in nine cases out of ten.

Hon. J. A. Dimmitt: I cannot see that.

Hon. N. E. Baxter: It would not be entirely redundant.

Hon. E. M. HEENAN: When speaking of a freeholder, in dealing with a Bill such as this, one usually refers to a person who owns his home, his farm or possibly a vacant block of land—although it would not be a vacant block of land in many cases. A freeholder who owns his house is also a householder.

Hon. N. E. Baxter: Not necessarily. He may be retired and living in a hotel.

Hon. E. M. HEENAN: That is so. I must concede that point to Mr. Baxter. But I cannot see why it is necessary, although I have no objection to giving a vote to the wife of a freeholder. But if we give a vote to the wife of a householder, that would cover nine out of ten freeholders.

Hon. E. H. Gray: Seven-eighths of them, anyway.

Hon. J. A. Dimmitt: Why should not the other eighth be entitled to votes?

Hon. C. H. Henning: A freeholder sometimes owns vacant land which is below the capital value stipulated.

Hon. E. M. HEENAN: I am glad to hear all these interjections because they indicate that members are giving serious consideration to this measure, and I think we all agree that there is a public demand for liberalisation of the franchise. "The West Australian," which is the leading paper in Western Australia, shows us the trend of public opinion, and I hope members have read the leading article that appeared in that paper in connection with this measure.

Hon. N. E. Baxter: That came from only a minority section.

Hon. E. M. HEENAN: I think there is a growing public opinion that we should liberalise our franchise. I would remind members that only a few years ago men of high standing, such as Sir Hal Colebatch, the late Mr. Charles Baxter, Mr. Parker, I think, and others, were members of a Select Committee which recommended this provision. Four or five years later, "The West Australian," which is our leading journal, recommends the same thing.

Hon. L. A. Logan: But we cannot take notice of a lot of things that paper recommends.

Hon. E. M. HEENAN: Like me, the paper is not right all the time, but I think we should pay some attention to its views on a vital topic such as this. We must face the position. However, the question of giving a vote to the wife of a freeholder is inconsequential, and if any member moves an amendment to that effect with a view to improving the Bill, I will not vote against it. If any member says, "Right oh, we will extend the franchise to the wife of a householder and we will also give a vote to the wife of a freeholder," I will not vote against it. Mr. Gray pointed out that in our modern

civilisation women are taking a more active part, and in the majority of cases that is all to the good.

To give a vote to the wife of a householder would be a good thing, because women are very responsible in many ways. The wife or mother runs the home; she budgets and she has to try to safeguard the future for her family and for her home. Therefore I do not think we can go astray in extending the franchise to those people. Actually, a lot of them have votes now because, as ratepayers or equitable freeholders, or leaseholders, they are entitled to vote. But we should simplify it and extend the franchise to that extent.

The other question concerns plural voting. This involves a matter of principle; a principle that has been enunciated by my Leader, Mr. Gray. We claim that fundamentally it is wrong that I should have a vote in the North-East Province, when I am living in the South-East Province, where my family owns property—that entitles me to a vote under the property qualification—and also to a vote in Perth where my wife is contracting to buy a home for which I will be the ratepayer. Under that system I can claim three votes.

Hon. H. L. Roche: But surely you would not do it! You do not believe in it.

Hon. E. M. Davies: But many people do.

Hon. E. M. HEENAN: That is wrong, but there again there are not many people who own property at Esperance, for instance, and property in Mr. Forrest's province as well. If members are greatly opposed to that part of the Bill and wish to strike it out, I would not sacrifice the measure in consequence, because I do not think it counts very much. Among the 30 members here there are not many who would have a vote other than for the province in which they live. One vote is all we want—one vote for the province in which we live and in which we have our responsibilities. But if members do not agree with that and want it out, there is still something left in the Bill. There are a couple of definitions dealing with the contentious question of a flat, but I think that is fairly well defined.

Taking it by and large, I am grateful that members have interjected and have given me the opportunity of stating the case as I know it. I remember Mr. Craig's argument—I hope he will not use it again but I will anticipate him—that the founders of this colony who drafted our Constitution said that this must be so and that that must be so. But the Constitution has been amended from time to time and nothing in this world is rigid or permanent, or should not be, in my opinion. We have to improve our institutions and modify them in order to bring them up to date and keep abreast of the times. There is, I sincerely say, a strong case for us to do something this session.

To be fair, I ought to remind members that some of them who subscribe to the policy of the Government that is in power today must recall that that Government told the people of Western Australia that it was going to liberalise the franchise and, to give it credit, it has made a couple of attempts to do so. Mr. Loton asked who introduced this Bill; the answer to this will be found on the Bill itself. But a Government measure has not come forward this time and the original measure introduced in another place has been radically altered in such a way that it now conforms to the policy enunciated by the Government.

The Minister for Transport: Would you have been in favour of the original Bill as presented?

Hon. E. M. HEENAN: I did not see the original Bill. However, the fact remains that I am now in favour of the Bill as it is. It is half a loaf but it is now put before us in such a way that it should appeal to the members of the Government, and I think that members of the party to which I belong, though not enthusiastic about it, will be pleased to support it because it is a step in a direction which a Select Committee recommended and for which there is a public demand at the present time. If, like its predecessors, it is defeated, then that is unfortunate, but I do appeal to all members to give it careful and sympathetic consideration. Let us try and make something out of it.

If members wish to trim down certain of its provisions which I think are more or less immaterial, I would not mind, but I think the time is opportune for us to at least go so far as to give the vote to the wives of householders. If Mr. Dimmitt wants to give the vote to the wives of freeholders, I will not quibble with him. I really think the votes to the wives of householder will cover eight or nine out of every ten in the class of which he is thinking.

Hon. J. A. Dimmitt: I would want the other one or two of the ten to have a vote also.

Hon. E. M. HEENAN: They can have it by all means as far as I am concerned. I am not bargaining; but if Mr. Dimmitt supports the main part of the measure, I will support the vote being given to the wives of freeholders. I will not say more at this stage except that I hope the Bill is passed in some shape. It would certainly be a nice gesture and a testimony to the man who has introduced it in this House and who has fought very fairly and most consistently for a measure such as this.

HON. N. E. BAXTER (Central) [5.52]: As one of the younger and newer members in this House, I pride myself on the fact that I do endeavour to keep up with the modern trend of events. I can see very little virtue in this amending Bill. To

begin with, Clause 3 provides for the age to be reduced from 30 to 21 years for anyone desiring to be elected to this House. To my mind that would be one of the most foolish moves that a Government or any member of Parliament could make. We propose to put into this House young men of 21 who have no worldly experience.

Hon. E. H. Gray: They have to be elected.

Hon. N. E. BAXTER: They have to be elected, certainly, but one's education in this world does not begin in a university or in a school and end there. When we are 21 we go out into the world and gain experience amongst people in business. That is the economics of Parliament, and not, as I have had said to me a few times, that before people are elected they should go to a school of economics. Schools of economics will not teach us plain common-sense or business ethics that ought to apply to members who have been elected to Parliament. We have seen evidence of this in other places. Some of the young members fall far short in possessing the qualification of logic that is required for parliamentary work.

Hon. G. Fraser: Some of the older ones do, too.

Hon. N. E. BAXTER: I would not think of supporting that amendment. Clause 4 proposes to delete the word "sterling". Is the object of the amendment to bring down the actual qualifying amount that exists today? The least amount for qualification is 6s. 7d. rent a week, approximately, and in sterling it would be a little higher. This was introduced years ago in order to keep the franchise within certain reasonable limits and, actually the proposal is to bring the franchise down by the deletion of the word "sterling".

The object is to bring the value of the qualification down to, approximately, another 25 per cent. of the 6s. 7d., one might say. Today that rent is paid for a shack or, in many cases, a hovel. The suggestion that we should reduce it is ridiculous. We next come to the amendment that was so much laboured by our friends, Mr. Gray and Mr. Heenan, that of giving the wives of householders the right to have a vote for the Legislative Council. That is not consistent with paragraph (e) (iii) of the same clause which suggests that a person shall not be entitled to a vote in more than one province. As I said before, this House is represented by persons with certain property qualifications; persons who have a property interest in the State and in their provinces.

To suggest that an individual without any personal property interests should have the right to vote against the person who has a property interest, even in ten provinces, is in my opinion entirely wrong. As Mr. Heenan said, the number of persons with interests in several provinces are not many and it counts for very little. Both Mr. Gray and Mr.

Heenan referred to the great interest taken by women in public affairs. I will agree that there are a certain number of women who take an interest in public affairs; quite a large number of women do, but members have overlooked the fact that there are a considerable number of women who would never go to our polls, either for the Commonwealth or the Assembly elections, unless it was compulsory for them to do so.

I do not state this merely from surmise but from personal experience gained by going around amongst these people and talking to women in their homes. A large percentage—over 50 per cent.—have said to me "We do not know anything about voting; we are not interested, and if we did not have to go to the polls we would not go there." The interest people take in elections can be seen from the fall in the percentage of votes recorded at the last Council elections.

Hon. R. M. Forrest: Down to 25 per cent.

Hon. N. E. BAXTER: I think the hon. member is a bit wrong in his figure but it was certainly as low as 42 per cent. in the last elections. If the people who have the right to vote will not take an interest and exercise it, how can we expect those who have not the right—but who will be given it under this clause—to go along and vote. Why put them on the roll when we know they are not going to take an interest? Let us first educate the people who are on the rolls and who are fully qualified to be there before we put on people of doubtful issue whether they are going to vote or not.

Hon. E. M. Davies: What do you mean by "doubtful issue"?

Hon. N. E. BAXTER: The hon. member is giving my remarks a double meaning. I mean it would be very doubtful whether the majority of the people we propose to put on the rolls by this amending clause will exercise the franchise.

Hon. G. Fraser: They certainly will not have the opportunity if you have your way.

Hon. N. E. BAXTER: There is no rhyme or reason why we should have the qualifications for the two Houses duplicated.

Hon. G. Fraser: Is not the Council a duplicate of the Assembly?

Hon. N. E. BAXTER: No.

Hon. G. Fraser: Do you consider this a House of review.

Hon. N. E. BAXTER: This is a House of review. I think I have said enough to indicate how I feel and I propose to vote against the second reading of this Bill.

HON. L. CRAIG (South-West) [6.0]: I regret that I shall have to repeat what I have said in speeches on several similar

Bills, but there are some new members in the House and it may be as well to state my views for their benefit.

Hon. G. Fraser: Will not you ever learn?

Hon. L. CRAIG: What I wish to stress for the third or fourth time is that the constitution of the Legislative Council is a property one and has no relationship whatever to people. It is based purely and simply on property, and people do not enter into the question at all. They are only the holders of the property and as such they have the right to vote.

Hon. G. Fraser: Why should they?

Hon. L. CRAIG: If the House agrees that they should not, there will be no basis for the constitution of the Upper House, and adult suffrage should be adopted, just as we have it for the Assembly. I would not mind that, but members cannot have it both ways. If the basis is not one of property, then we cannot have it half and half, and it must be adult franchise with the electors voting in provinces, just as electors vote in States for the Senate. I would not be opposed to that, but I object to tinkering with the franchise for this House.

Hon. R. M. Forrest: The idea is to abolish this House.

Hon. L. CRAIG: Every country in the world has two Houses of Parliament. Even Russia, under its new constitution, has a House of review.

Hon. Sir Charles Latham: Only one province in Canada has two Houses and Queensland has only one House.

Hon. L. CRAIG: And what a mess the one House makes of things in Queensland! Recently in that State a measure was passed giving power to direct the raising of produce on farms and was passed through all stages at one sitting, largely because there was no Upper House. That could not happen in any other democratic country in the world. The measure gave a board power to direct a farmer to produce what he was told to produce, deliver it where he was told to deliver it and at a price fixed by the board.

Let us consider the reason behind the introduction of this Bill. It is, of course, designed to weaken this House; it is the thin end of the wedge. How it can be logically argued that a woman who happens to be married to the owner of a house should be entitled to a vote for this Chamber while the wife of a man who holds 40 properties or of a pastoralist should not have a vote, I cannot understand. To argue that a woman, because her husband owns a house, has more brains than a spinster, who perhaps was fortunate in the fact that she did not marry, is beyond my comprehension. There is nothing logical in proposing to give the vote to the wife of a householder.

I repeat that if the basis of property is removed, there will be no basis at all for the constitution of this House and we

should have adult franchise. The original intention was that in a growing country such as Western Australia, with the influx of people to a particular district, legislation could be passed that would be detrimental to the country as a whole. To provide a safeguard, it was laid down that those people who had established themselves in the country, who had their roots in the country and had acquired property, and intended to live here by reason of having acquired property, should have a vote for a House that would review legislation passed by another place, and would not be influenced by any question raised temporarily and forgotten in a year or two. The principle is a sound one.

Another point is that, bad as our system might seem on paper, either it has worked or it has not worked. Are our laws inferior to those of other countries?

Hon. G. Fraser: In some respects.

Hon. L. CRAIG: Are we less progressive?

Hon. G. Fraser: In many respects.

Hon. L. CRAIG: The member who introduced the Bill in another place said during a visit to the Eastern States some years ago that the social laws of Western Australia were superior to those of any other State. In spite of the power of the Legislative Council! Mr. Gray will recall that member's having made the statement. Yet an attempt is being made by that same member to alter a system which is working well. When our system fails to work satisfactorily, that will be the time to alter the franchise for this House, and not until then.

If it could be proved that this House was obstructing beneficial legislation, there would be good ground for going to the people and asking them to authorise a change for the reason that our laws were behind those of other parts of the world. But they are not; the introducer of the Bill said that our social laws were the best in Australia.

Hon. G. Fraser: To whom are you referring?

Hon. L. CRAIG: I am dealing with the revered leader of the hon. member, and no greater compliment could I pay to any man than to quote his utterances publicly.

Hon. Sir Charles Latham: At that time he was Minister for Works.

Hon. L. CRAIG: He is a man of ability and is far-seeing. I ask members not to spend a long time over the Bill. Either we must throw it out or drastically amend it. I would be quite agreeable, though not just yet, to amend it drastically and alter the whole franchise for this House.

Hon. G. Fraser: You believe in revolutionary instead of evolutionary means.

Hon. L. CRAIG: Well, we have a property franchise, so let us keep it a property franchise. When it fails to work, let us

wipe it out and adopt a franchise similar to that for the other House. I shall vote against the second reading.

On motion by Hon. H. C. Strickland, debate adjourned.

BILL—PARLIAMENTARY SUPER-ANNUATION ACT AMENDMENT.

Second Reading.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [6.10] in moving the second reading said: The necessity for this Bill, which, if approved by Parliament, will come into operation on the 1st January next, has been brought about by the drain on the fund resources, caused by loss of membership, deaths, etc. An actuarial report on the financial stability of the fund, which was obtained last year and which disclosed that the income of the fund was inadequate, recommended that the deficiency should be met by increasing contributions from members or by obtaining a subsidy from the State. In all other State and Commonwealth parliamentary superannuation schemes, a subsidy is paid by the Government.

It was agreed that if members' contributions were increased from £48 to £52, thereby taking the total of members' annual contributions from £3,840 to £4,160, and if the State provided an annual subsidy of a similar amount, the income, which would then be slightly more than £8,000 per annum would be sufficient, in the opinion of the actuary, to place the fund on a sound and satisfactory basis. The Bill, therefore, is designed to give effect to the proposal that members' contributions be increased to £52 per annum and that an annual subsidy of £4,160 be provided by the Government.

Other proposals in the Bill seek to correct an anomaly in regard to widows' pensions and a provision for the payment of pensions to members who resign under certain conditions. The proposal relating to widows' pensions arises from an anomaly in Subsection (5) of Section 11 when compared with Subsections (1) and (4) of the same section. Subsection (1) of Section 11 provides that a member who had contributed under the Members of Parliament Fund Act, which was repealed by the parent Act, was entitled to the payment of the benefit he would have received under that Act; that is, a lump sum of £600, or, if he was a contributor for less than seven years, to a payment equal to twice the amount actually subscribed to that fund as an advance payment of the pension benefit for which he qualifies under the principal Act. The pension benefit under the principal Act does not commence until the expiration of the period which would accrue if the amount due under the Members of Parliament Fund Act had been paid by way of a weekly pension at the rate of pension applicable under the present Act.

The benefit the member would receive, over a period of 10 years, would not vary in total, whether he received the lump sum payment, or, as a member who commenced his service in Parliament after the present Act commenced its operation, he was entitled only to actual pension benefits under this Act. For example a member who received £600 in a lump sum under Section 11 (1) and was entitled to a pension benefit of £5 per week for the first 10 years, would receive a lump sum payment of £600. After 120 weeks, this being the period which would have to elapse before the actual pension commenced, he would receive £5 per week for the remaining 400 weeks, or a total pension payment of £2,600. A member who did not receive the lump sum of £600 would be paid £5 per week for the full period of 10 years.

Therefore a member who was a contributor to the Members of Parliament Fund would not, over a period of 10 years, receive any greater benefit than a member who was not a contributor beyond the fact he would receive a lump sum payment instead of a weekly pension over part of the period. In arriving at the widows' pension entitlement, the same principle should be followed; that is, the widows of member (A) and member (B) should, over the total period during which benefits are payable, receive similar amounts.

Sitting suspended from 6.15 to 7.30 p.m.

THE MINISTER FOR TRANSPORT: Before tea I was explaining the position with regard to widow's pension entitlement. The present wording of Subsection (5) provides that the period of disqualification is to be arrived at by dividing the lump sum received under Subsection (1) by the rate of pension for which the member would have qualified. Therefore, as the Act now stands, the widow who receives the lump sum benefit would obtain overall a substantially higher amount than the widow whose husband had not been a contributor under the repealed Members of Parliament Act.

As an example, where a lump sum was payable under Subsection (1) and the husband had qualified for a pension of £5 per week, the widow's pension ($\frac{2}{3} \times £5$, or £3 6s. 8d.) would be payable for five years (1st period). If the lump sum of £600 is exhausted at £5 per week, the period of disqualification is 120 weeks, and a pension at £3 6s. 8d. is then paid for the balance of 140 weeks, this amounting to £466 13s. 4d., which, together with the lump sum of £600, would total £1,066 13s. 4d.

In a case where no lump sum was payable, the pension would be paid for 260 weeks at £3 6s. 8d. a week, making a total benefit of £866 13s. 4d. or £200 less than in the first example. It is proposed, therefore, that in the case of the widow of a member who was a contributor to

the Members of Parliament Fund, the lump sum she receives shall be deemed to be exhausted at the same rate of pension as would be paid to her if her late husband had not been a contributor to the Members of Parliament Fund.

The proposal in respect of the members' benefits to which I previously referred, is the position under present conditions where a member decides after 20 years' service in Parliament that he has had a sufficiently long public life and resigns his seat. Unless he satisfies the trustees that his reasons for resignation are that he is either infirm or that he is over 70 years of age or there is some other such good reason, he is liable to receive only a refund of contributions. The trustees have given considerable attention to this matter and have decided that where a member has served for not less, in the aggregate, than 20 years, he should receive the pension benefit for which he had otherwise qualified.

In order to refresh members' minds as to the conditions under which they qualify for benefits under the Act, I would explain briefly that they are—

(a) The benefit (if any) to which they were entitled under the repealed Members of Parliament Fund, and

(b) If the member has served in Parliament for more than 14 years in the aggregate and has been a contributor to the fund (both Members of Parliament Fund and the present fund) for more than 14 years, he would receive a pension of £6 per week for 10 years, reducing to £3 per week for another 10 years. The pension would not actually commence until he had exhausted the lump sum payable at the rate of pension for which he had qualified.

(c) If the service is more than 14 years, but his period of contributions is less than 14 years but more than seven years, the pension would be £5 per week for 10 years, reducing to £2 10s. per week for a further 10 years. The lump sum would also be exhausted at the weekly rate of pension commenced.

(d) If the period in Parliament is more than seven years and the contributing period is more than seven years, the pension is £3 per week for a total period of 10 years.

(e) If the period in Parliament is more than seven years, but the contributing period is less than seven years, the pension would be £2 10s. per week for 10 years.

(f) Where both periods are less than seven years, the member would receive a refund of contributions plus interest at 2½ per cent.

I have endeavoured to give this explanation fairly fully so that it will appear on record and members will understand

the position of the fund, and their own entitlements, and have some idea of the comments of the actuary when examining the fund. I move—

That the Bill be now read a second time.

HON. H. L. ROCHE (South) [7.38]: As this is a measure to straighten matters up with regard to the superannuation fund, there is not likely to be any opposition to it. However, there is one point I would like the Minister to clarify, and that is the position of a member who, having subscribed to the fund for a number of years and qualified for one or other of the benefits, may not re-contest his seat.

I have made some inquiries from gentlemen who were associated with this fund, and it seems that where a member dies or contests a seat and is defeated, he is entitled to such benefits as his period of service and his contributions permit. But when a member decides not to contest the seat, all he can receive from the fund is a repayment of the money he contributed. Although, had he been defeated at an election, he would have been entitled to £6 a week for 10 years, if he is foolish or misguided enough or for some reason is not prepared to contest an election and is not willing to involve himself and the Electoral Department in expense, he forfeits his right to a pension.

That does not seem to me to be reasonable or even sensible. We could have a member in those circumstances contesting an election with no desire to win the seat, and yet he might win it. Then the public would have a member in the Assembly for three years or in this House for six years who was not interested in the job and who only contested the seat to preserve his rights to superannuation benefits. I would like the Minister to explain the position, and tell us why it is necessary to have a provision of that sort.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland—in reply) [7.40]: The position is substantially as the hon. member has set it out. He may recall that when the first Members of Parliament Fund was instituted, it was provided that if a position such as he suggested arose, the member concerned would receive double his contributions. Under the new Act, provision was made only for the return of the actual contributions paid, unless the member secured entitlement by remaining a member for a certain length of time. According to the length of time in the aggregate for which he was a member, so the amount to which he might be entitled was varied.

I have submitted the facts in detail so that they can appear in "Hansard" and can be referred to; because, like the hon.

member, I have at times been a little uncertain myself as to the exact qualifications and entitlements. However, the position is substantially as he set it out; namely, that a member has to serve 20 years before he can actually resign and become entitled.

Hon. A. R. Jones: To full benefits?

The MINISTER FOR TRANSPORT: Yes.

Hon. H. L. Roche: That is, voluntarily resign?

The MINISTER FOR TRANSPORT: Yes.

Hon. Sir Charles Latham: Is there not an age limit somewhere?

The MINISTER FOR TRANSPORT: It is 70 years of age. There are members here who have had something to do with the framing of the legislation in regard to the fund, and possibly Sir Charles may be able to throw more light on this Bill than I can.

Hon. Sir Charles Latham: I cannot do so now, because you have closed the debate.

Question put and passed.

Bill read a second time.

In Committee.

Hon. A. L. Loton in the Chair; the Minister for Transport in charge of the Bill.

Clauses 1 to 5—agreed to.

Clause 6—Section 12 amended:

Hon. N. E. BAXTER: This clause provides for a retrospective payment to members who originally paid into the Members of Parliament Fund—the old fund.

The Minister for Transport: Yes, it is retrospective.

Hon. N. E. BAXTER: I am of the opinion that this is rather a hardship on some members who paid into the old fund years ago. They did so on an understanding that they would receive the benefits then outlined. It started with the lump sum of £600.

The Minister for Transport: There was no pension under the original scheme.

Hon. N. E. BAXTER: It was a lump sum of £600. I think the period was originally 14 years but a member is being asked to serve 20 years now to get similar benefits. I do not think members should support that provision.

The Minister for Transport: It is 20 years if he retires voluntarily, but if he is defeated he is entitled to what the Bill provides.

Hon. Sir CHARLES LATHAM: Under the 1948 legislation I think there was an age limit of 70 years, but that was

lowered subsequently to 55 or 60 years. Mr. Baxter said the benefits would be less under this Bill than they were previously, but in fact they would be much more generous. The original provision was for £600 and nothing more, but now a member can exhaust that sum in about two and a half years and still have another period at £5 per week and then a further entitlement at £3 or £2 10s. per week.

The Minister for Transport: Over 14 years it is £6 and then £3, and over seven years it is £5 and then £2 10s.

Hon. N. E. Baxter: But does the 20 year period give any increase in benefits over the 14 year period?

Hon. Sir CHARLES LATHAM: If he is a member for 20 years and has contributed for 14 years he gets the full amount, but if he has been a contributor for seven years or over he gets £5 per week for ten years and then £2 10s.

Hon. L. Craig: He can still take the £600.

Hon. Sir CHARLES LATHAM: No. That was under the old statute.

Hon. L. Craig: But does that not still stand, provided it comes out of his pension?

Hon. Sir CHARLES LATHAM: No. A member who had contributed £160 or some such amount would be entitled to take the £600 at £5 or £6 a week and when that was exhausted the pension would continue until the time expired.

Hon. L. Craig: But he can still get the £600.

Hon. Sir CHARLES LATHAM: So long as he was in it before the 1948 amendment.

Hon. L. Craig: But the original contributors are protected.

Hon. Sir CHARLES LATHAM: This provision is much more generous. I do not wish members to think the fund is exhausted, because it is not and if the position continues as it is at present until after the next Assembly election there will be a considerable sum of money in the fund. The actuaries, being very careful, have said that the sums mentioned in the Bill are necessary. The money will be a book entry as far as the Treasury is concerned. The Treasury pays interest on the money but I do not think it will lose through the transaction. With the small expected number of retirements the fund should be substantial in another ten years and it may be possible then to increase the benefits further.

Hon. E. M. Heenan: Then it will pay the younger members to stay here.

Hon. Sir CHARLES LATHAM: Yes.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—CO-OPTED MEDICAL AND DENTAL SERVICES FOR THE NORTHERN PORTION OF THE STATE.

Second Reading.

Debate resumed from the 8th November.

HON. H. C. STRICKLAND (North) [7.49]: I know how difficult it is in the far North, and particularly in the Kimberley areas, for residents to obtain medical and dental care. The passing of this Bill will be of great assistance to the people of the Hall's Creek area, in particular. I was approached by them early this year about dentists being unwilling to come over from the Northern Territory on account of their not being registered in this State, though they have good access to the Kimberleys from the Northern Territory by means of the aerial services operating from Alice Springs and Darwin. I am certain that the service will be appreciated by people of those far northern areas. I support the Bill.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland—in reply) [7.50]: In reply to some points raised by Dr. Hislop certain information has been supplied for the benefit of members.

It was realised that this measure should be made as simple as possible. However this is a question where human life and well-being may be involved, so that we must ensure that the normal safeguards are retained.

A suggestion was made that the Bill could simply legalise any act performed by a medical officer of the Commonwealth in the North-West. There are Acts other than the Medical Act involved. Pharmacists must be able to accept prescriptions issued by these doctors; the insurance companies and the workers compensation board must be able to accept medical certificates as valid, and, in the event of a death, it is essential that a valid death certificate be issued. These are important matters, and must be clearly stated in the Bill. We must establish some basis of proof that co-opted practitioners are entitled to practise and issue certificates. For this reason we must publish their names in the "Government Gazette." The Bill anticipates a newly appointed Commonwealth Medical Officer being asked to render emergency aid before his name has been published in the "Gazette." In such a case it is provided that the Minister may validate any action he has taken.

The question of fees is one which is being dealt with between the Commonwealth and State departments. This State has suggested that, should an emergency arise in the Northern Territory, medical officers from this State would be made available to render aid. The Commonwealth has promised to consider reciprocal legislation similar to this Bill. We have suggested that, this being the case, the question of fees need not be raised. The matter is not yet finalised, but, in any case, is not a matter which need be specifically referred to in this Bill. The question is too complex. It involves insurance questions and workers compensation provisions. As the occasions on which emergency aid is rendered are likely to be few, the question of finance could be left to the Minister to deal with each case on its merits.

Before the Bill was presented, all aspects were weighed and the measure before the House is considered to be as simple as can be prepared whilst retaining safeguards to protect all parties. As has been stated by hon. members, the Commonwealth is anxious for this Bill to be passed so as to protect their officers whose services are so generously made available. The Commonwealth has been very reasonable in this matter, and it is felt that nothing in this Bill will be found objectionable in any quarter.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL ACT AMENDMENT AND CONTINUANCE.

Second Reading.

Debate resumed from the 8th November.

HON. SIR CHARLES LATHAM (Central) [8.0]: Conforming to my usual procedure regarding continuance measures, I intend to oppose the second reading of the Bill. In doing so, I think I am giving expression to the opinion of the people who sent me to this House. So far, I have had no request to support it and I have heard of no objection on the part of my electors to any action I have taken in the past. On the other hand, I have had a good many letters commending my actions and I believe the opinion of people generally is exactly the same as that which I hold.

The Bill does not appear to contain very much, but what it does is most important. The first amendment proposes to impose still further controls over materials in excess of those provided for in the existing legislation, and the second one seeks to increase the penalties out

of all proportion to the crimes committed. To me, it is a terrible thing that a man who attempts to do something in the interests of the people of the State, should be put in gaol.

Hon. L. Craig: For breaking the law.

Hon. Sir CHARLES LATHAM: Breaking the law! There are any number of people who commit indictable offences and are only fined, and yet a man carrying out an instruction from the Perth City Council is debarred by this great authority in Plain-st. from complying with the local authority's instructions, and he is put into gaol when he defies it. To my mind, that is a disgraceful thing to happen in this present age.

Hon. L. Craig: To flout the law!

Hon. Sir CHARLES LATHAM: How many times has the hon. member flouted the law?

Hon. L. Craig: Never.

Hon. Sir CHARLES LATHAM: Well, the hon. member should stand up as a monument of perfection.

Hon. L. Craig: That is different from flouting the law.

Hon. Sir CHARLES LATHAM: Of course, the hon. member has flouted the law, especially in his motor car, every second day. I think the Bill is a shocking thing and it is getting no support from me. Let me remind members of what happened in 1946. The Commonwealth Parliament, in its wisdom, passed legislation to allow the question of controls to be decided by the people of Australia; and what was the result? They rejected the continuance of controls by a very large majority.

Hon. E. H. Gray: They are sorry now.

Hon. Sir CHARLES LATHAM: A very noisy few are sorry. When they were informed in this State that the Commonwealth Government wanted to assume responsibility for controls, the people of Western Australia, as well as those in other States, said they wanted nothing to do with it.

Hon. H. C. Strickland: Because they argued that it was permanent control.

Hon. Sir CHARLES LATHAM: The people knew very well, of course, that once they handed that power over, it would be for all time. I challenge the Government to fight an election on the issue in this State. It is not only landlords or people wanting to buy houses that are opposed to this class of legislation, but also, I should say, at least 80 per cent. of the general public.

Hon. L. Craig: The referendum was based on permanent controls, and that is what people voted against.

Hon. Sir CHARLES LATHAM: There was no permanency about it at all! It was transferring to the Commonwealth

Parliament an increase of its constitutional powers enabling it to control various commodities.

Hon. L. Craig: For all time.

Hon. Sir CHARLES LATHAM: It has many constitutional powers which it is not exercising today. It has constitutional power respecting divorce, but is not controlling that phase. So that was a very good excuse for the hon. member to put up, because he is a great supporter of controls. I cannot get over that. He is a man who loves liberty himself but wants to control everybody else. I think that many of us in this House at the time of the referendum said there should be an easing of all controls, and if my memory serves me aright—I have a pretty good memory—the Government gave an undertaking that it would gradually lessen controls until conditions returned to normal.

Hon. L. Craig: And so it will.

Hon. Sir CHARLES LATHAM: Five years have passed and we have worse legislation now than we had then. Now we are trying to make criminals of people. Let us consider what these criminals are doing. They are building houses for the people. I have heard members complaining about people building homes. Surely every house that is built must make available cover for the heads of some people; so why should we stop them? So far as I am concerned, I will grant the Government certain powers, one of them being to limit the amount of money to be spent on a house. I would make it a substantial amount in view of what I know it costs to build some of the cheaper houses.

Hon. L. Craig: If you know that, you cannot vote against the Bill.

Hon. Sir CHARLES LATHAM: There is nothing in the Bill to permit me to do that. I am willing to give the Government certain powers in that respect, but it would not require the number of people who are working in Plain-st. to effect them. After the first world war a Commissioner of Prices was appointed and there was less trouble over prices during the whole period he was operating than there has been in one week under the legislation with which we are now dealing. I would give such a Commissioner power to do certain things, and that would prevent all the costly legal actions which must be taken in an endeavour to enforce the law. Let people go to the Commissioner with their grievances and he could adjudicate accordingly. I think that is a wise plan.

This legislation has been in force for five years and we now intend to extend the controls granted by it more than ever. I listened to the speeches of members who support the Bill. One would think that the whole world would be destroyed if we were

without it. Chaos, chaos, chaos! I recall, three or four years ago, when we were fighting in this State to get some relief from controls and when the same old stories were related in opposition to our endeavours. I will refer to some of them.

I well remember the night when we sat here into the early hours debating the question of petrol rationing, because the Commonwealth Government had been told by the High Court that it had no power to continue the rationing of petrol, following upon which the State authorities took over the responsibility. I had some inside knowledge at that stage because I happened to be one of the members of the local committee controlling petrol rationing. I told members then that there would be no shortage of petrol if rationing were lifted, but quite a few of them insisted that there would be a shortage and that the unfortunate people in the country would be without it.

What happened? All the civil servants connected with the scheme were dismissed and there was no inconvenience suffered whatsoever because of the lifting of petrol rationing, except perhaps that the arrival of supplies at some country centres was a little belated. The same applied to the allocation of motorcars. In fact, the lives of members were almost a hell because they were pestered by people who wanted releases for motorcars. What happened when that control was lifted? Has any member here today heard any complaints? Of course they have not! It is all humbug to say that the lifting of controls over housing would create chaos. The legitimate methods of business would continue and we would get a far better deal than we are now from civil servants who know nothing of the business they are handling. I say that advisedly.

Hon. E. H. Gray: You are wrong.

Hon. Sir CHARLES LATHAM: Mr. Gray, who is a great stickler for controls wants to turn this State into a police State so that none of us will have any right to move until we go to the civil servants to obtain a release. I remind members that unless we assert our rights, the civil servants will control us. Do not forget that when we go to the Housing Commission, we have almost to go down on our knees before we can see an official there. Let members try to see the chairman of the Commission.

Hon. E. H. Gray: He is most approachable.

Hon. Sir CHARLES LATHAM: Mr. Gray of course, may be a special favourite. I think I have seen the chairman twice. On one occasion I introduced a deputation to him comprising members of a local authority and he gave me an undertaking to do something, and when he referred the matter to his junior officers they said, "No, you cannot do that".

Hon. E. H. Gray: That is not true.

Hon. Sir CHARLES LATHAM: It is true. I remember all these incidents in the last few years and what has transpired. If ordinary business methods were reverted to, we might get a little bit of grumbling, but people would know that they were receiving a fair deal. I regret to say that under the legislation we are discussing now there are a lot of dissatisfied people—not people who are seeking homes or building them, but those comprising the general public—because they consider that they are not getting a fair deal and it is difficult to satisfy them with any action taken by members of Parliament.

I would like the Government to give free enterprise a go. The Workers' Homes Board was a good competitor to private enterprise. That board should be able to determine the true value of houses. Good quality houses can be erected more cheaply than the Workers' Homes Board can build them, and yet we are stifling and stopping the construction of such homes. A few months ago we sent the chairman of the State Housing Commission abroad. I would like the Minister to tell us why he made that trip. He was to get workers and buildings, I believe.

The Minister for Transport: He went away to get prefabricated houses.

Hon. Sir CHARLES LATHAM: That is right. Now, let us have some information about the prefabricated houses. Will the Minister tell us what it is costing to erect a prefabricated house? I know of one Government department which is paying £3,000 to have one erected, and the rental for it is over £3 a week.

Hon. L. Craig: Plus the land.

Hon. Sir CHARLES LATHAM: Yes. Surely we can give local enterprise every chance to use local material so that we can build houses, but what are we doing? We are stopping them with this legislation. Recently I visited the South-West and I am not going to mention the name of the town or the seaport, but it is a very nice place. They are building a beautiful lot of houses down there. The contractor at this place found some difficulty in obtaining bricks, so this enterprising man said, "This will not last for long" and he started manufacturing his own bricks.

He set up his own brick kiln and, as Mr. Bennetts said the other day, he was able to export bricks to other places. Then he found he was short of timber. He set about providing his own sawmill. He secured the assistance of the local authorities who controlled an area where there was suitable jarrah, and the authorities said to him, "You are a man of enterprise. You can take the jarrah and make use of it."

Hon. L. Craig: His name rhymed with—

Hon. Sir CHARLES LATHAM: I am not going to mention any names; the hon. member can do his own guessing. This man found he was in trouble about tiles. I understand that until recently, when cement was again controlled, tiles were not controlled. I believe that terracotta tiles are not under control now, and the distribution of them is being made on a very fair basis—without any governmental control whatever.

The position is not like some members suggested, and there has been no chaos. They suggested that the man with money would get everything he wanted at the expense of the other fellow who would be able to obtain nothing. I happen to know a man who requires tiles for the house he is building in South Perth. He has gone to all lengths, little short of blackmail, in an endeavour to secure tiles, but he has been told quite firmly that he was not due for his tiles for about twelve weeks, and he would have to get his roof on and take his order in turn.

That shows we can trust these people. Why should we not trust them to do all that is necessary? They have built up their businesses, and now we are making criminals of them. I have read the Doran file which has been tabled, and I shall refer to it later on. I want to make it perfectly clear that I will not have magistrates dictating to me. I am here as a representative of the people and I resent a magistrate getting up and telling us we are silly. That is cheap talk to come from a magistrate.

We are only human and are liable to make mistakes. We passed a law that was interpreted by a judge as being not so stupid as the magistrate would have us believe. I will agree—I will support any step by which the practice can be avoided—that the resorting to conferences of managers at the end of a session in order to get legislation through, should be abolished—and the sooner the better. That practice takes away their rights from 30 members of this House and from 50 in the Legislative Assembly, and places control in the hands of three members from each House. They report back to their respective Houses, and we have to accept what they say without having any clear understanding of what the legislation means. We simply agree to what they say.

Hon. L. Craig: Is that in the Bill?

Hon. Sir CHARLES LATHAM: All this arises as a result of some of the hasty legislation passed in that way. If Mr. Craig always sticks as rigidly to a Bill as he would have me stick to the one under discussion, I shall see that he acts accordingly in future.

Hon. L. Craig: I merely asked a civil question!

Hon. Sir CHARLES LATHAM: And I am answering it! The sooner we get back to freedom, the quicker people will secure

homes, for which they will not have to pay as much as they do today. In business circles and industry, we cannot expect to derive full benefits without controls.

Members: Oh!

Hon. Sir CHARLES LATHAM: I meant, without freedom. If we desire to increase prices, let us impose controls because fewer people will be employed. I am highly amused at some of the arguments that have been advanced. We say to young fellows, as I have recently, that they should go away to fight for freedom. Is this the freedom they are asked to fight for? They go oversea to fight and they return to resume life under these conditions. They come back to find controls exercised—not freedom.

Hon. L. Craig: The controls are, for the most part, for their benefit.

Hon. Sir CHARLES LATHAM: I know that that is the hon. member's opinion. I am trying to point out that the position is not so. Mr. Craig used to shudder about petrol supplies and all the chaos that would be caused—and nothing of the sort happened. I challenge the hon. member to fight an election on this issue.

Hon. L. Craig: Just you and me?

Hon. Sir CHARLES LATHAM: No, I would not fight the hon. member on this issue in his province. Let him come to mine. I am serious about this matter. I shall do my best to abolish controls as quickly as possible.

Hon. L. Craig: So shall I.

Hon. H. C. Strickland: Including transport controls?

Hon. Sir CHARLES LATHAM: Did I not fight that step when I was a member of another place? Do not let us get on to that subject, because it has nothing to do with the Bill. It does seem paradoxical to me that we send young fellows away to fight for freedom and when they come back they find so little freedom and so many controls that they cannot have homes built for their families. The tendency has gone further than that, because I notice a number of unions are objecting to men working at week-ends on the construction of homes for people who sadly need them. That is a disgraceful thing. This State was built up by people with the pioneering spirit who went out into the agricultural areas, down through the South-West and up North; and wherever they went they built homes—call them houses or huts—for their families.

Nowadays the Perth City Council tells people that they cannot live in this or in that, that they cannot do this or must do that. We are all the time preventing people from getting homes instead of helping to provide them. I am opposing this legislation because I think that course will help considerably. Russia built up a Soviet State controlled by the military forces and the workers. We should not

adopt that idea too much. That is what we are doing today: building up a sort of Soviet State with the civil servants telling us what we should do. That is my opinion. If we want to cart some goods by road, we must go to the transport office for permission to do so. The officials tell us to pay a fee of 5s. and they will give us license to cart one load.

Hon. R. M. Forrest: Sometimes.

Hon. Sir CHARLES LATHAM: Let us get back to commonsense and have a little freedom. We have a country that was built up by free enterprise.

Hon. E. H. Gray: Let everyone do as he likes!

Hon. Sir CHARLES LATHAM: Within reason.

Hon. L. Craig: What would you regard as within reason?

Hon. Sir CHARLES LATHAM: I know I cannot convince the hon. member! Instead of worrying ourselves about the few individuals who break the law, we should set ourselves out to see what we can do to help the many. We would get somewhere if we adopted that course. We have the Criminal Code and the Police Act, which exercise controls over people's actions. Although we have those laws, we do not punish everyone else because one or two violate them. Yet here we are punishing all the people who want homes because some individual has done something wrong. I shall refer to the case of the man Doran who has been put in gaol. Had Doran been left alone, there would have been a home for six people—but he is in gaol.

Hon. E. H. Gray: There are six families there now.

Hon. Sir CHARLES LATHAM: It does not say so on the file.

Hon. E. H. Gray: You did not read it properly.

Hon. Sir CHARLES LATHAM: Did I not! This man was served with a notice by the Perth City Council to do certain repair work. He set himself to do it and because he was trying to conform to the request of the local authority, he offended against this particular law. I say that man has been treated very harshly. By the way, I draw the attention of the House to the fact that the file tabled is not the original file but only a copy. I notice reference to a man called Grant.

I do not know whether two Grants are involved. I see the man made a report to Mr. Randall and I note his signature there. When I turned to copy of a report on page 32, the signature of the man Grant does not appear to be the same as the earlier signature. As I say, I do not know if there are two Grants. It appears to me as though the copy may

contain anything at all. I would prefer to peruse the original file and not a copy. It is most unusual to get a file of this description. I have read through it carefully, and I am convinced that there has been a miscarriage of justice in fining Doran £500 and putting him in gaol for doing something that would benefit the people living in the house.

Hon. E. H. Gray: The people living in the house did not think so.

Hon. Sir CHARLES LATHAM: We can understand that position. If people are in a house sharing accommodation for which they pay low rentals they will not make application for another home because they are fearful about approaching a magistrate in case they should have to pay increased rentals. They certainly know that if they have to go into a house built by the State Housing Commission, they will have to pay a higher rent. That is why people do not make application freely. They realise that they are paying little rent and do not want to be called upon to pay increased rentals. If I were in their position, I would adopt that attitude.

Hon. N. E. Baxter: And they do not take much care of the premises they rent.

Hon. Sir CHARLES LATHAM: A tenanted house is never so well looked after as is a house occupied by the owner. Far too much power is vested in officials and this makes the position all the more difficult for people who are trying to help themselves and so relieve the housing shortage. In this State we are very lucky. We can provide or make all the materials we require for building houses. On the other hand, we take too many men away from essential industries and make them available for unessential undertakings. When I notice how the number of employees of the State Housing Commission has increased, I feel that we should dismiss half of them and employ them in producing something useful that would help to provide homes for the people.

I know I am not in a position to do so, but I think we should recommend the appointment of a Select Committee to inquire into matters affecting the State Housing Commission. I think such a move would serve a useful purpose and would materially assist the Government. It would probably be the means of clearing up a lot of misunderstanding that we may have with regard to the housing situation itself. We have heard statements made about men being treated as criminals. Let us see if such a situation actually exists. I hope some member will ask for the appointment of a Select Committee. The Bill could be passed, and by the time the session is nearing its end, the committee could report to Parliament.

As a matter of fact, I do not think the Minister for Housing is doing all that he might. He is continually running around the country looking at sawmills or else making trips to the Eastern States. His job should be to remain in his office, check up on what takes place and try to overcome the difficulties that are apparent.

Hon. A. L. Loton: Perhaps if he took a pick and shovel he might do some good.

Hon. Sir CHARLES LATHAM: A Minister cannot do the work that is necessary in his office and at the same time be running round the country. Some time ago we agreed to increase the number of Ministers by two so as to give the Government an opportunity to deal with its work more effectively. If Ministers are to go running round the country instead of doing their duty in their respective offices, there will certainly be chaos.

The Minister for Transport: The Minister for Housing has been engaged in trying to increase production, the effect of which would be to limit the controls.

Hon. Sir CHARLES LATHAM: In what way has he increased production? Are the State Saw Mills turning out all the timber they can?

The Minister for Transport: Part of his object in visiting the Eastern States was to increase production.

Hon. Sir CHARLES LATHAM: What production does the Minister mean?

The Minister for Transport: Increased production of piping, fittings and so on, necessary for housing here.

Hon. Sir CHARLES LATHAM: The Government is getting supplies by road.

The Minister for Transport: The Minister for Housing arranged that.

Hon. Sir CHARLES LATHAM: Did he?

Hon. L. Craig: You are not fair to the Minister for Housing.

Hon. Sir CHARLES LATHAM: I am fair to him. We have a Minister for Supply and Shipping. I happen to know that a man on the spot here has far greater control than one who is moving about.

Hon. L. Craig: He is working like a slave, and you know it.

Hon. Sir CHARLES LATHAM: I like the "slave" business. I am glad the hon. member has some opinion about the slaves of the Ministry, but I have not the same opinion of all of them.

Hon. L. Craig: You have had experience.

Hon. Sir CHARLES LATHAM: Yes, and I could not go out of my office. I had to work late hours as some Ministers do now; and I am referring here

to the Leader of this House because I know he devotes many hours to his duties, but that is not the case with all Ministers. If they confined themselves to their offices, there would be fewer complaints and less of this unsavoury business of people being gaoled for doing something in the interests of the State. I hope this House will appoint a Select Committee to clear up some of the misunderstanding, and, perhaps make me a little more friendly than I am at present towards the State Housing Commission.

I have strong objection to some of the things it does. I was interested in getting a permit with respect to a place where imported materials were to be used. Because I happened to go to one of the heads, I am satisfied the Commission did everything possible to see that the man who wanted the permit did not get one. That is my opinion because the point raised was that someone else made an application previously, and had sold the property because he had got tired of waiting for a permit. So the property will lie idle until the controls are lifted. That is the sort of thing that makes people annoyed; and I think it was done deliberately because I intervened. I have had a lot of public experience, but never before had I seen the same sort of dead end attitude to my approaches, and I got sick of it.

Hon. N. E. Baxter: You have a liaison officer there.

Hon. Sir CHARLES LATHAM: Yes, but he does not do much to help us; he cannot, I suppose. I shall vote against the Bill, and I shall vote against every control that is introduced until we get some saner method of trying to unravel the position. This is the easy, sloppy way that makes it difficult for everyone. No one likes his business controlled by a person who does not know anything about it. Imagine my going into a lawyer's office and telling him how to run his business, and then putting him in gaol if he did not comply with my requests; or going down to Mr. Craig's irrigated farm and telling him to run the water uphill.

Hon. L. Craig: You can, too!

Hon. Sir CHARLES LATHAM: I know, but it cannot be done with an open drain. I shall vote against the second reading of the Bill.

On motion by Hon. Sir Frank Gibson, debate adjourned.

House adjourned at 8.34 p.m.