

BILL—BILLS OF SALE ACT AMENDMENT.

Council's Message.

Message from the Council received and read notifying that it insisted on its amendments.

BILL—CHURCH OF ENGLAND SCHOOL LANDS ACT AMENDMENT.

Council's Amendments.

Schedule of four amendments made by the Council now considered.

In Committee.

Mr. Moir in the Chair; the Minister for Lands in charge of the Bill.

No. 1.

Clause 4, page 2, line 30—To delete the word "moneys" and substitute the words "proceeds, moneys, rents, issues and profits."

No. 2.

Clause 4, page 2, line 32—To delete the word "moneys" and substitute the words "proceeds, moneys, rents, issues, profits and interest."

No. 3.

Clause 4, page 6, line 10—To delete the word "moneys" and substitute the words "proceeds, moneys, rents, issues, profits and interest."

No. 4.

Clause 4, page 6, line 14—To delete the word "moneys" and substitute the words "proceeds, moneys, rents, issues, profits and interest."

The MINISTER FOR LANDS: When the Bill was before this Chamber, the member for Blackwood said he sought to make one or two amendments to it, because the Church of England authorities, after examining the Bill, said they thought it did not describe in detail certain aspects of their income to the extent which they desired. As members will remember it was referred in this form to the Legislative Council and the amendments now being considered are designed to give a better interpretation of "money" from an income point of view than is contained in the Bill. The proposal contained in these amendments is designed to make them read so that all income received by church authorities should be used in accordance with the terms of the Bill. There is no objection and I move—

That the amendments be agreed to.

Question put and passed; the Council's amendments agreed to.

Resolution reported, the report adopted and a message accordingly returned to the Council.

House adjourned at 11.49 p.m.

Legislative Council

Wednesday, 6th November, 1957.

CONTENTS.

	Page
Questions : Serpentine Dam project, cost of opening ceremony	2815
Superannuation, pensions under 1871 Act	2816
Traffic regulations, tabling of recommendations	2816
Diesel railcars, construction at Midland Junction workshops	2818
Bills : Bills of Sale Act Amendment and Revision, 3r., passed	2817
Inspection of Machinery Act Amendment, 3r., passed	2817
Shearers' Accommodation Act Amendment, recom.	2817
Traffic Act Amendment (No. 1), reports	2818
Coal Mine Workers (Pensions) Act Amendment, 2r.	2818
Licensing Act Amendment (No. 1), 2r., Com.	2819
Traffic Act Amendment (No. 3), 2r., Com.	2825
Church of England School Lands Act Amendment, Assembly's message	2826
Cattle Trespass, Fencing and Impounding Act Amendment, 1r.	2827
Nurses Registration Act Amendment (No. 2), 1r.	2827
Basil Murray Co-operative Memorial Scholarship Fund Act Amendment, 1r.	2827
Fremantle Harbour Trust Act Amendment, 3r.	2827
Factories and Shops Act Amendment, 2r.	2827
Acts Amendment (Superannuation and Pensions), 2r., as to resumption	2831
Adjournment, special	2831

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

QUESTIONS.

SERPENTINE DAM PROJECT.

Cost of Opening Ceremony.

Hon. N. E. BAXTER asked the Chief Secretary:

(1) Is it a fact that 175,000 gallons of water was sprayed on five miles of road leading to the site of the main Serpentine Dam and pipe head dam for the purpose of laying the dust for the ceremony held on Friday last?

(2) How many men and trucks were used in the operation of watering the road?

(3) What was the cost of watering operations and the removal of all plant, tents, etc.?

(4) What was the cost of catering and all other incidental expenses in connection with the ceremony?

(5) To which Government department or fund was the cost debited?

The CHIEF SECRETARY replied:

(1) No record of the number of gallons used on roads was kept. Completion of construction of the five miles of road was planned to coincide with the opening ceremony, the watering being required to consolidate the loose gravel.

(2) Ten men and ten trucks.

(3) The cost of this specific aspect of road construction was a minor charge against essential road improvement works being carried out in the normal way by the Main Roads Department in close co-operation with the Metropolitan Water Supply, Sewerage and Drainage Department.

(4) and (5) Not all accounts incurred for catering and incidental expenditure on this important State occasion have been submitted for payment, so the final cost is not known.

The hon. member may be assured that the overall cost of this function would be approximately the same as the cost of similar functions arranged to celebrate the opening of important country water supply schemes—also of national importance—by this and previous Governments, and chargeable to the projects concerned.

The officers concerned with the arrangements in connection with the Serpentine Dam opening should be congratulated on the excellence of the results achieved.

SUPERANNUATION.

Pensions under 1871 Act.

Hon. A. F. GRIFFITH asked the Chief Secretary:

(1) How many persons are receiving pensions under the Superannuation Act, 1871-1951, which are in excess of £1,000 per annum?

(2) What is the total amount involved in payment of such pensions?

The CHIEF SECRETARY replied:

(1) Ten.

(2) The sum of £11,198 6s. 11d. per annum on present rates, including supplement of £52 per annum each under the Pensions Supplementation Act.

TRAFFIC REGULATIONS.

Tabling of Recommendations.

Hon. A. F. GRIFFITH (without notice) asked the Chief Secretary:

Did he have an opportunity yesterday or today of asking the Minister for Transport whether he would lay on the Table of this House the recommendations which I requested him to table one day last week?

The CHIEF SECRETARY replied:

I did not have an opportunity of conversing personally with the Minister for Transport in connection with the matter, but I sent word to him about it.

What the answer will be I do not know. But I suggest that the hon. member consult his Deputy Leader in another place in connection with the matter.

Hon. A. F. GRIFFITH (without notice) asked the Chief Secretary:

Would he bear in mind that this is the third time I have asked whether the Minister for Transport would be prepared to table these regulations; and would he bear in mind that the request I chose to make in this House has nothing to do with the Deputy Leader of my party? Would he please ascertain whether the Minister is prepared to lay the recommendations on the table, because the notice of motion I have on the notice paper is due to be debated tomorrow, and it is of some importance, even though the Government does not appear to think it is?

The CHIEF SECRETARY replied:

I do not know whether that demands a reply. But I would point out that I replied to the hon. member when he made his second request yesterday; and today is the only time I have had any opportunity to do anything about the matter. I have told him that I sent word to the Minister, and one would expect that I would have an answer from him tomorrow.

Hon. A. F. Griffith: I hope you are right!

DIESEL RAILCARS.

Construction at Midland Junction Workshops.

Hon. A. R. JONES (without notice) asked the Minister for Railways:

(1) Is it a fact, as was stated in the paper this morning that the Railway Department intends to build locomotives?

(2) In view of the recent exchange of opinion in the House in regard to contract work, did the Government call for tenders, or did it decide to build these railway engines or locomotives itself; and, if so, what are the reasons?

The MINISTER replied:

There is no mention of locomotives in the Press report or, if there is, it is incorrect.

Hon. A. R. Jones: I am referring to diesels.

The MINISTER: It is a fact that the Government decided, after considering the tenders received, that it would have the work on the diesel railcars carried out at the Midland Junction Workshops, as it is considered that they will be of equal if not better quality and the work will be done at lower cost than the tenders submitted.

BILLS (2)—THIRD READING.

- 1, Bills of Sale Act Amendment and Revision.
- 2, Inspection of Machinery Act Amendment.

Passed.

BILL—SHEARERS' ACCOMMODATION ACT AMENDMENT.

Recommittal.

On motion by Hon. A. R. Jones, Bill recommitted for the further consideration of Clause 4.

In Committee.

Hon. E. M. Davies in the Chair; the Minister for Railways in charge of the Bill.

Clause 4—Section 6 amended:

Hon. A. R. JONES: Members will recall that on Thursday I submitted certain amendments to this Bill, some of which were rejected. On that occasion I moved to delete the words "building which" with a view to inserting other words, and also to strike out the words "a building" with a view to inserting other words. The intention was to make it possible to build shearers' quarters, kitchen quarters, dining-room, and cooks' quarters under one roof; and I still think that is worthy of consideration.

In the North-West, as the Minister said, few buildings are lined; and in such instances construction such as I refer to might allow noise to travel throughout the building. But in the South-West Land Division, where four-fifths of the sheep in the State are now shorn, most buildings are lined and celled. It might also be necessary to further amend the measure, leaving an option as to whether the buildings should be lined or not, as we must realise that there are still vast numbers of sheep to be shorn in the North-West. I remind members that the modern trend is to place buildings of this nature under one roof in order to reduce the cost of building, sanitation, etc., to a minimum. I move an amendment—

That the words "building which" in line 9, page 3, be struck out, and the words "part of the building which part" inserted in lieu.

The MINISTER FOR RAILWAYS: While I appreciate the hon. member's objective, I oppose the amendment. This Bill is the result of a conference between the A.W.U., the Pastoralists' Association and the Farmers' Union, all of which agreed unanimously to its contents and expressly asked that no alteration be made to it.

Hon. H. K. Watson: Is that the Bill as drafted and presented to this Chamber?

The MINISTER FOR RAILWAYS: Yes. Certain amendments were made to the measure in another place by an agreement with the bodies concerned. As soon as Mr. Jones put his amendment on the notice paper, I got in touch with Mr. Clarkson, who pointed out there was complete unanimity between the Farmers' Union, the A.W.U., and his organisation in regard to all aspects of accommodation. It is their desire that the Bill should remain as it is.

Hon. L. A. LOGAN: Despite what the Minister has said that agreement has been reached—the other night I pointed out an anomaly contained in the measure. We were asked to accept this *carte blanche*.

The Minister for Railways: It was ambiguous.

Hon. L. A. LOGAN: If it contained one mistake, it could contain others; and a lot of people concerned with the Bill do not know anything about it, even though it may be said that the executive officers have considered the matter. It is beyond commonsense for people to be expected to erect one building for shearers in one place and another for a cook somewhere else when, with modern architecture, they could all be put under the one roof without any trouble and at less expense.

The Minister for Railways: What about the comfort?

Hon. L. A. LOGAN: There is nothing wrong with the comfort which modern architecture provides. The provisions set out in the Shearers' Accommodation Act so far as accommodation is concerned are not enjoyed by more than 30 per cent. of the people in the country who live in conditions much worse than these for 12 months of the year. The shearers, on the other hand, only have to live in these places for a short time. It would be all right if wool were selling at 160d. or 180d. a lb.; but we all know it is down 10d. a lb., and it could go lower if it were affected by the European market, as it has been lately. I support the amendment.

The MINISTER FOR RAILWAYS: Mr. Logan mentioned expense. My understanding is that the Commonwealth Government provided that where an industry was being run and the people concerned were providing accommodation, they were granted a concession by way of income tax which would cut out the amount over a period of five years.

Hon. Sir Charles Latham: That did not stop the expenditure of the money.

The MINISTER FOR RAILWAYS: I agree; but it is not a direct cost.

Hon. Sir Charles Latham: It is only the taxation that is excluded.

The MINISTER FOR RAILWAYS: The Bill has been agreed to by all parties concerned, and I hope members will ratify it.

Hon. A. F. GRIFFITH: May I ask Mr. Jones a question through you, Sir? Is it not a fact that according to his wording any building that will be erected will be so erected after the coming into operation of the Shearers' Accommodation Act, 1957, and his amendment would provide that any building erected could be of two rooms, or three rooms, or four rooms, or more; and that the cooks could be accommodated in one room and other people in the remaining rooms so long as they were separated from the sleeping accommodation of the shearers?

Hon. A. R. JONES: That is the position. If the shearers were accommodated in one room at one end of the building the cooks could be accommodated in another room adjoining it. There would have to be a division between the two rooms where the cooks and shearers slept. It is not a question of getting out of it at little expense by means of a taxation deduction, but the fact that money is having to be spent unnecessarily.

I appreciate the point made by the Minister that buildings in the North, on the other side of the Murchison, would be of a skeleton nature and made of iron or asbestos, without any sealing. They would not be occupied for very long. But those conditions do not apply in the South; and if the Bill is passed, it will apply throughout the State. Perhaps the Minister will report progress to enable me to draft a suitable amendment to meet this situation of a building being lined and sealed to prevent sound travelling.

THE MINISTER FOR RAILWAYS: My instructions are to have the Bill passed in its existing form.

Hon. A. F. GRIFFITH: My reading of the Bill is that it does not necessarily mean that the cooks must be in a self-contained building. The legal application is that provided the shearers are separate from the building one can put whom one likes in with the cooks. The idea is to prevent the shearers being awakened by the cook.

Hon. A. R. JONES: I cannot see how the hon. member can read that into the Bill, because it sets out that separate sleeping accommodation should be provided for cooks. If I understand it correctly, not only shearers themselves but those engaged in the work in the shed, such as wool-classers, etc., are termed shearers. Is that correct?

The Minister for Railways: I did not hear what the hon. member said, as I was reading the Bill.

Hon. A. R. JONES: Am I correct in supposing that where the term "shearers" is used, it applies not only to those who actually shear, but also to those who work in the sheds?

The Minister for Railways: Yes, shed hands.

Hon. A. F. GRIFFITH: I am of the opinion that if on a station there was a building containing three rooms, and the cooks were put into one of those three rooms, and the manager and his wife occupied one of the other rooms, that would, within the meaning of this Bill, be separate sleeping accommodation for cooks as distinct from shearers. The Bill does not say it must be only one room.

Hon. A. R. JONES: It could be more than one room; and that is why I raised the point. Recently I saw a modern building which was built only 18 months ago; and while it would rate as the best shearers' accommodation in Western Australia, it would not comply with the Bill. That seems foolish when the trend is to build good accommodation, not only for shearers but also for station workers. A lot of farmers shear 6,000 or 7,000 sheep and use a number of shearers—five or more—and would be liable to comply with this Bill if it became an Act. The building I saw contained a dining hall, with a beautiful kitchen and cooks' quarters adjoining; but it would not comply with this Bill. I trust the Minister will defer the Committee stage to allow me to discuss with him a small amendment which would conform to the requirements of everybody.

THE MINISTER FOR RAILWAYS: It is possible under this Bill to build a dining-room, kitchen and cooks' quarters as a separate building, and the sleeping quarters for shearers to be in another building. The quarters for the cook do not have to be merely a bedroom on its own. In regard to the suggestion that the hon. member discuss a proposal with me, I would suggest that if he wants to further postpone the Bill he discuss it with the Minister for Labour who will explain the position. I know all parties concerned are keen to have the Bill as it is and my instructions are to get it through in this form if I can. I have no objection to the hon. member discussing the matter with the Minister for Labour.

Progress reported.

BILL—TRAFFIC ACT AMENDMENT (No. 1).

Reports of Committee adopted.

BILL—COAL MINE WORKERS (PENSIONS) ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. C. H. SIMPSON (Midland) [5.8]: This is a Bill to amend the Coal Mine Workers (Pensions) Act in several particulars but, generally speaking, so that in accordance with the terms and understanding which have existed between the Government of the day and the Coal

Miners' Union the same conditions in regard to pension will apply here as in New South Wales. The desire is that there should be uniformity, and, I understand, some reciprocity if there is exchange of employment between New South Wales and Western Australia.

There is very little to criticise in the Bill. There have been some minor adjustments mainly on account of the conditions affecting the field at the present time. Some pensioners have found themselves out of employment. They have paid into a pension fund for some time and then found that they were unemployed for a matter of months—maybe 12 months—and if they were over the qualifying age of 35 and re-employed, they could not contract into the fund to get pension rights, which had been reasonably well established by contributions over the years, simply because conditions of the Act prevented them. Provision is now made that they can come back under the terms of the Act. If there is no employment and they cannot be employed, they will be entitled to a refund of 75 per cent. of their contributions.

There is only one very small item which I would criticise. The New South Wales Act has, for some years, provided for an allowance of 15s. per child in regard to a pensioner when he attains the retiring age and becomes qualified for pension rights. I had been informed that that was 15s. per family; but on checking up, I found that it is 15s. per child. The relative payment to the Western Australian pensioner in respect of his children is 10s. per week; and it is proposed under this Bill to increase it to £1 per week.

I know that the New South Wales Act is under consideration, because there has been an application for some adjustment to pension rates. Whether our increase to £1 is to come into line with a proposed increase in New South Wales or not, I do not know. However, in view of the desire for uniformity as between the two funds, it seemed this called for some explanation on the Minister's part to say why it is proposed to increase the amount per child from 10s. to £1, while the existing rate in New South Wales is only 15s.

I would remark in passing that it is not a very important item, because a pensioner is not eligible for a pension until he attains the age of 60 years, and there are not many pensioners of that age who would have children under 16 years; and they are the children to whom this would be applied. Therefore, subject to that explanation, I am prepared to support the Bill. I have no objection to it because I think the point is very small, and it would certainly not justify any attempt to amend it. However, I think it only right that the Minister should explain this apparent anomaly. With that observation I support the Bill.

HON. G. C. MacKINNON (South-West) [5.12]: Mr. Simpson has covered this Bill very well, but there are a few points which I would like to speak to in regard to the anomaly he suggested. The history of legislation with regard to coal for industrial requirements has been fairly happy and the general trend in this State has been to make application to bring it into line with the Eastern States. It is indeed the avowed policy of those people who have anything to do with the coalmining award to arrive at that position where the various functions throughout Australia are identical.

It is strange to find this piece of legislation containing one small clause which departs from that basis. It would be unfortunate now when we have almost reached the stage of uniformity throughout Australia to start varying it by means of a clause such as this. As Mr. Simpson said, not a lot of money is involved, and it is not from that point of view that I raise an objection. Less than 20 children—14 or 15, I think—would be affected.

The principle of uniformity is desired by all the parties concerned. No mention was made as to why there should be this departure so that we have an increase of 10s. to £1, whereas in the Eastern States the rate is 15s. Unless there is some satisfactory explanation for the provision in the Bill, we might be able to make this into a uniform standard and bring it into line with the provisions that are accepted in the East. With this small doubt in mind, I support the Bill.

On motion by Hon. F. R. H. Lavery, debate adjourned.

BILL—LICENSING ACT AMENDMENT (No. 1).

Second Reading.

Debate resumed from the 22nd October.

THE MINISTER FOR RAILWAYS

(Hon. H. C. Strickland—North—in reply) [5.17]: The Bill was introduced with two objects—one to make provision for W.A.G.R. bus passengers to obtain liquor at railway refreshment rooms on the same basis as train travellers; and the other to create hotel sites in new subdivisions, etc., which would give an opportunity for anyone making a big subdivision to apply to the Licensing Court for a hotel site in the area.

The establishment of a site is not necessarily the establishment of a licence. They are two different things altogether. To establish a site for a hotel in a subdivision is merely to conform with the overall planning of the area. As we know, with modern development the practice is to plan for residences in certain areas; for recreation and sport facilities in other areas; and for school sites, hotels and so on; and for the business centre to be

centralised. The proposition here has a lot of merit in regard to any future subdivisions.

I notice that Mr. Mattiske has some amendments on the notice paper; but rather than refer to them at this stage I will wait until the Bill is in Committee.

Question put and passed.

Bill read a second time.

In Committee.

Hon. W. R. Hall in the Chair; the Minister for Railways in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—Section 36 amended:

The MINISTER FOR RAILWAYS: I have handed the Chairman an amendment which I propose to move. After discussing the Bill with the committee inquiring into licensing legislation, the Secretary for Railways was advised to endeavour to have an amendment included to lengthen the time during which liquid refreshment might be served to rail and road passengers using W.A.G.R. services. The Act provides that they may be served within half an hour before and after the arrival of any passenger train. I move an amendment—

That after the word "amended" in line 16, page 2, the following be inserted to stand as paragraph (a):—

by substituting for the words "half an" in line 6 the word "one."

This amendment is designed to permit a period of one hour before the arrival and after the departure of any passenger train or road bus.

Hon. R. C. MATTISKE: The Minister has an advantage over us in that he has just submitted the amendment to us; and he has had advice as to evidence given before the committee inquiring into the Licensing Act. On first thoughts I agree that the period of half an hour before and after the arrival of a train, or road bus, is not very long, and an extension to one hour would be quite reasonable. But there is one important string I would like to attach to this and that is by an amendment that I propose to move a little later.

I notice that the Bill proposes to alter the present system and to provide that liquor may be served to any person who may go to the refreshment rooms and not only to bona fide travellers. If this is agreed to, I feel the concession to allow the railway refreshments rooms to trade for two hours around the arrival of any train or road bus would be too great.

We must remember that the hotels have to pay licence fees and comply with the other rigid provisions of the Act, and they

will have unfair competition from the railway refreshment rooms. If we are going to extend the time of trading from a total of one hour to a total of two hours, then we should also keep definitely in mind that the trading be restricted to bona fide travellers.

Hon. E. M. HEENAN: The Bill was considered by the members of the licensing committee who were tendered evidence by the Secretary for Railways, and, I think, the assistant manager of the railway refreshment rooms. The committee gave careful consideration to the submissions of these two gentlemen who really had no axe to grind except to see that some uniformity was extended to all the railway refreshment rooms and to make modifications in keeping with today's requirements.

I might add that the committee has been reluctant to recommend that the Chamber deal with any licensing amendments at this stage on account of the fact that considerable evidence of an important character is being tendered to it. The committee, however, was unanimous that this proposal, submitted by the Railway Department, was one that it could recommend; and it instructed me to advise the Minister in charge of the Bill that it had no objection to his proceeding with these provisions.

Hon. J. G. Hislop: What are the grounds for the extension?

Hon. E. M. HEENAN: Some railway refreshment rooms in this State are leased to individuals who then obtain licences under the provisions of the Licensing Act; while others are conducted by the railways and are licensed under the provisions of the Railways Act. The department is anxious to lease more of the refreshment rooms than are leased at present because it is losing on a number of them.

Hon. Sir Charles Latham: It wants to place the responsibility on individuals.

Hon. E. M. HEENAN: No, the department thinks that individuals may be able to run them at a profit, whereas the Railway Department cannot do so.

Hon. Sir Charles Latham: Wait until the next time the State Trading Concerns come up for discussion!

Hon. J. D. Teahan: Isn't the drawback the fact that the private individual would not have as much latitude as the Government-operated concern?

Hon. E. M. HEENAN: This proposal will give them a better opportunity of making a living than is at present provided under the restricted licence, and the public will be better catered for. We are satisfied that hotels and other interests will not be unduly affected. I can assure members that the licensing committee has considered this matter; and we are satisfied, from the

evidence tendered by Mr. Eivers and the other officer, that this amendment should be agreed to.

Hon. A. F. GRIFFITH: Do I understand that the deliberations of the committee on licensing are still in progress?

Hon. E. M. Heenan: Yes.

Hon. A. F. GRIFFITH: This is a most extraordinary state of affairs! An amendment has been moved in this Chamber recommended by a parliamentary committee which is inquiring into the matter.

Hon. L. C. Diver: That is very logical.

Hon. A. F. GRIFFITH: That is a matter of opinion.

Hon. E. M. Heenan: We agree with you in principle, and we make an exception in this case only because we think it has intrinsic merit.

Hon. A. F. GRIFFITH: I am glad that the hon. member agrees with me in principle, because I think it adds weight to the argument that we should not entertain this amendment at this stage. Why should we pick out one particular section and amend that? I suggest that when Mr. Baxter's Bill comes forward—

The CHAIRMAN: Order! I suggest that the hon. member address himself to the amendment before the Chair.

Hon. A. F. GRIFFITH: Surely at this stage it would be better for us to wait and see what the committee recommends.

The Minister for Railways: You have it.

Hon. A. F. GRIFFITH: We have only part of it. What will happen if the committee subsequently has some evidence in rebuttal of that which it has already taken? Are we going to strike out this amendment?

The Minister for Railways: Let's hear whether you favour it or not.

Hon. A. F. GRIFFITH: That is not the question. If it were a select committee it would not be able to adopt this course; and the principle is the same. For that reason I must oppose the amendment.

Hon. E. M. HEENAN: It is surprising how anyone, with the best of intentions, can be misunderstood. We agree entirely with the general principle that no amendments to the Licensing Act should be considered at this time.

The CHAIRMAN: Order! The hon. member must address himself to the amendment before the Chair.

Hon. E. M. HEENAN: I will get back to it. This amendment will not affect any interests other than the Railway Department, which is passing through difficult times, and is trying to improve one of its sections. The committee feels that as it will not affect anybody else, and the department is trying valiantly to pull itself out of the fire, it would not do any harm to agree to this amendment.

The CHAIRMAN: Order! I want the hon. member to address himself to the amendment and not discuss what the committee is doing.

Hon. E. M. HEENAN: The amendment affects the railway refreshment rooms, and it is our opinion that this will improve the general situation and will not affect anybody else.

Hon. R. C. MATTISKE: When I spoke previously I thought that evidence had been taken from both sides. But I was staggered to hear Mr. Heenan say that the evidence was given by the Secretary for Railways and another officer of the department. Naturally they would put up a good case for the extension of the trading hours; but why did not the committee wait until it had heard evidence from the other side? I now feel quite strongly about the matter. I think that the position should be left as it is, and if, after hearing both sides of the argument, the committee still feels the same about it, we can make the necessary amendment. Mr. Heenan said on two occasions that the purport of this amendment was to bring additional revenue to the railways.

Hon. E. M. Heenan: I did not say that.

Hon. R. C. MATTISKE: That is what I understood the hon. member to say. In view of what I have said, I hope the Committee will not agree to this amendment.

Hon. H. L. ROCHE: I should like to offer my views as a member of the committee. I do not think members have grasped the position which obtains. We did not decide to recommend this legislation to members; but, as they will know, more than one amendment to the Licensing Act has been introduced since the committee was formed.

Hon. N. E. Baxter: And one of them prior to it.

Hon. H. L. ROCHE: Yes. We take the view that if these proposed amendments are likely to have any material effect on the licensing laws they should not be proceeded with. But as this amendment is not likely to have any serious impact on any future recommendations, and it does not affect anybody else, our chairman was asked to convey to the Minister the opinion of the committee, inasmuch as it did not think it would matter if the Chamber agreed to this legislation. What members do with it is their own business.

Hon. N. E. BAXTER: I think that the committee has overlooked the fact that this amendment should be considered on its merits. From what I can gather there is no chance of a report being submitted before Parliament rises; and as one member said, it will probably be 1960 before a report is submitted. So we should forget about the committee and deal with the amendment on its merits.

Under the existing Act the provision of half an hour before arrival and half an hour after departure is ample. The railway refreshment rooms were established for the convenience of train passengers; they were not intended to become trading concerns, although they do make some profit. They were not established to supply liquor to everyone. The proposal to extend the time to one hour before and one after could, in some instances, extend the hours of trading in liquor to 12 a day, where trains arrive and depart over that period. The refreshment rooms are not established for the convenience of outsiders.

Let us consider the position of the police, whose duty it is to control the sale of liquor in the refreshment rooms. If there is a breach, the police cannot prosecute the manager, because he is not the licensee.

The Minister for Railways: They do not trade after hours.

Hon. N. E. BAXTER: The licence is held by the Commissioner of Railways.

The Minister for Railways: The managers do not trade after hours.

Hon. N. E. BAXTER: That may be the opinion of the Minister. That has not been my experience. If they do trade after hours whom can the police prosecute when they sell liquor to other than bona fide travellers?

The Minister for Railways: The manager can be prosecuted.

Hon. N. E. BAXTER: He is not the licensee and he cannot be prosecuted. The police can only prosecute the commissioner, who holds the licence. Although a concession may be granted in respect of the amendment relating to bona fide travellers, I consider that the extension of trading hours does not serve a useful purpose; nor would it be advantageous to other people concerned.

Let us consider a town where there is already a hotel. If the refreshment rooms are permitted to remain open for longer hours, the local people will take advantage of that extension when the hotel is closed. That additional hour of trading can be detrimental to the hotel trade.

Members who support this amendment contend that it will not affect the business of the hotels. We have also to consider that in many towns there are clubs licensed to sell liquor; there are gallon licensees; and there are also railway refreshment rooms. They all take away the liquor trade from the established hotels. It is unfair to extend trading hours in establishments which were not formed for the purpose of selling liquor.

Hon. Sir CHARLES LATHAM: I would like some information on the committee that has been referred to. I know of no committee appointed under Standing Orders inquiring into licensing. If there is a private committee appointed by the

Government it would only report to the Premier, and we need take no notice of it. It seems to be a new approach to form the members of Parliament into committees to inquire and report on various matters.

I do not know whether it is the intention of the Government to throw open every store for the purpose of selling beer or spirits. I have complained continually that the hotels were being discouraged from providing decent accommodation for travellers, and this proposal to extend the hours of trading of the refreshment rooms will further discourage them. They admit that their own officers are not running the refreshment rooms satisfactorily.

The Minister for Railways: Who admitted that?

Hon. Sir CHARLES LATHAM: It was admitted that they were run at a loss. That was what Mr. Heenan said.

The Minister for Railways: He does not represent the Railway Department.

Hon. Sir CHARLES LATHAM: Generally railway refreshment rooms are let out on contract, but in recent times they have been run by the department. If one were to examine the results of trading one would find a very small profit being made. My main objection to this amendment is that it tends to deprive existing hotels of trade. Already clubs have been permitted to sell liquor, and yet we expect the hotels to provide decent accommodation. I am opposed to this type of legislation being introduced.

In the last two years a greater part of the time of Parliament has been devoted to licensing legislation than in all the years previously that I have been a member of Parliament. We should confine our efforts to deliberating measures which will help the people, and not those that will reduce them to a lower standard of efficiency.

It is now intended to permit railway refreshment rooms to sell liquor one hour before and one hour after the arrival and departure of trains. It seems that more attention is being paid to liquor and gambling than ever before, with a view to enabling this spendthrift Government to raise more revenue.

Hon. A. R. JONES: I oppose the amendment firstly because it was agreed that no amendment to the legislation dealing with liquor would be considered before the parliamentary committee's report has been submitted. If the amendment is agreed to, it will be possible in some instances for trading in liquor to occur, which should not be allowed, because hotels which depend on this trade are required to supply a good standard of accommodation for the travelling public. If the amendment were confined to places where there were no hotels, or to the hours when hotels were not opened, there would be some merit in it.

The only argument in favour of extending this period to one hour before and after the trains arrive and depart is that although the timetable shows that a train will arrive at four, it may not arrive until six o'clock. A train may be running late and the passengers are entitled to some refreshment; but in places where there are hotels, there are also places where refreshments can be obtained. This amendment should be restricted to centres where there are no hotels. I prefer not to make a decision until the report of the committee has been submitted.

Hon. A. F. GRIFFITH: I would inquire from Mr. Heenan whether this amendment was a recommendation from the committee inquiring into licensing. If it was not, how did the proposal get to the Minister?

The MINISTER FOR RAILWAYS: I explained in the first place that this amendment had been discussed with that committee. I do not know whether or not that committee recommended it. Does that satisfy the hon. member?

Hon. A. F. Griffith: How did the Minister get the information?

The MINISTER FOR RAILWAYS: I explained originally that the Secretary for Railways, as a result of his interview with the parliamentary committee inquiring into licensing, suggested to me that the period of trading be extended by half an hour. He was of the opinion that the committee considered that would be desirable. The reason for putting forward this amendment is that not infrequently people go to catch a bus or train and find it is delayed. Under the existing legislation they will have to wait until it is known that the train is half an hour away before they are entitled to obtain liquor; the same applies after the train leaves.

There is one important aspect. Since I have become the Minister for Railways I have endeavoured to lease some of the refreshment rooms in the country, and I would prefer them to be leased to licencees in those places, as I told Mr. Baxter 12 months ago. The Railway Department has not been successful in leasing any of them. The main objection to taking on a lease is restricted hours of trading. These are not long enough under the existing Act, and the bona fide travellers are driven away from the refreshment rooms.

There is no provision to restrict trading under the Railway Act, and the refreshment rooms can remain open to serve liquor for a reasonable time before a train arrives, and after its departure. The question is: What is considered to be a reasonable time? The Secretary for Railways and the management of the refreshment rooms consider that one hour before and one hour after is a reasonable time. The Government is prepared to amend the Licensing Act in this direction and not to

observe the Railways Act for the time being until it is amended in this respect. At this time of the parliamentary session it is not appropriate to introduce Bills, covering licensing matters, to amend the Railways Act.

I would point out that one refreshment room on the Midland Railway line will be very greatly embarrassed unless some latitude is conceded under the Licensing Act to enable it to trade longer. Furthermore, the police have to observe two sets of provisions—the licensing provisions of the Railways Act and those of the Licensing Act—and they are in a quandary to know in which direction they should act. A fair and reasonable proposition would be one to extend the trading hours to one hour before the arrival and one hour after the departure of trains. That will cover the refreshment rooms established in towns where there are no hotels.

I can assure members that in towns where there are refreshment rooms and hotels, the Railway Department will be quite prepared to consider any proposal to lease such refreshment rooms. No person is better qualified to take on the lease of refreshment rooms in places like Goomalling and Beverley than the hotel-keepers; already they have the staff, and they can close any opposition they want to close. Any reasonable proposition put forward by them will receive very deep consideration from the Railway Department.

It is considered that one hour before and one hour afterwards would meet the requirements of the travelling public. As Mr. Mattiske pointed out, the Bill is designed to delete the section which confines the matter to train travellers only. One can imagine the ridiculous position that would be created if someone took a visitor to the station to see him off and the visitor was able to obtain a drink while his friend had to stand outside. That sort of thing would not be tolerated by the public. A Bill was passed last year covering a similar provision for aerodromes, and it was agreed to almost unanimously, though it cut out our North-West.

Hon. L. A. LOGAN: I admit there is a certain amount of merit in the provision for obtaining liquor an hour before and an hour after in certain places; but if we look closer into the matter, we find there is not as much merit in the proposal as there would appear to be. The Minister referred to the Midland line. There are only two places on that line where there are liquor licences—Muchea and Watheroo. The number of passenger trains consists of one up one day and one back the next day. There is a bus every day which stops only at Watheroo and during the lunch hour. The hotels are not affected.

But there are places on the Northam line such as Chidlow and Spencers Brook; and on account of the number of passenger trains passing through, the premises would be open all day and those places would virtually become hotels or beer houses in their own right. If there is a hotel in a town and a passenger wishes to catch a train and finds it is half an hour or an hour late, what is to stop him from going to that hotel for refreshments? I object to the hours of refreshment rooms being extended when there is an efficient hotel in close proximity to the station.

It was said by Mr. Heenan that the Railway Department was trying to do something to improve its position. When he says that he means that it is seeking to increase its revenue; and that can be done only at the expense of somebody else—in this case, the hotels.

When I spoke on the second reading I said that we should not deal with any of these licensing Bills until the committee inquiring into licensing had submitted its report. I am still of that opinion.

Amendment put and negatived.

Hon. R. C. MATTISKE: I move an amendment—

That paragraph (b) in lines 21 to 25, page 2, be struck out and the following inserted in lieu:—

(b) by adding after the word "railway" in line 10 the words "or motor vehicle before mentioned."

Much of the debate we heard a little while ago on the other amendment applies to this one, but to an even greater extent. What is proposed now by the Minister is to alter the principle of providing refreshment for travellers only, to one of providing them for anyone at all and on any day of the year except Good Friday. I submit that is entirely wrong. But as we now have motor-vehicles taking the place of railways in many country areas, I feel that we should grant the same privileges to travellers on motor-buses as to travellers on trains, and for that reason I submit the amendment.

The Minister advanced certain arguments when speaking to the previous amendment, and a counter argument was submitted against any alteration of the Act. It was submitted that until we have heard the whole story from the committee of inquiry we should make no alteration at all to any principle of the Act. However, my amendment to give a concession to road-bus travellers is not altering any principle.

Hon. N. E. BAXTER: I cannot agree with the amendment. It has been the normal practice of anybody meeting a passenger on a train, or taking him to a train, to have a drink with him. On occasion I have taken Mr. Thomson to

Beverley, and at night he has caught the train there. After a journey by car to Beverley we have walked in and had a drink in the railway refreshment room at midnight while the train was coming in. It would be too silly if he were able to obtain a drink and I had to stand outside.

Reference was made by Mr. Mattiske to a new principle, but it is really a matter of commonsense to allow persons to obtain a drink half an hour before and after the departure of trains, even though they might not be bona fide travellers. The refreshment rooms do not tolerate people drinking there all the time, but only cater for those who meet passengers or the passengers themselves who want one or two drinks; and they would make short shrift of the local soaks who sought to make a convenience of the place.

The MINISTER FOR RAILWAYS: Mr. Baxter has covered the ground I would have covered. I want to point out that it would be impossible to police the Act if only travellers were to be served with liquor. Is the position to be that when the Westland is about to depart, people seeing friends or relatives off are not to be allowed to obtain drinks at the refreshment room at Perth? Or that drinks are not to be procurable at stopping places en route by people meeting their friends on the trains?

Hon. R. C. MATTISKE: I submit that despite what Mr. Baxter said, this does alter a principle. At present it is laid down that only bona fide travellers shall enjoy refreshments; and if the gate were thrown wide open, it would mean that the whole township could go into the railway refreshment-rooms for half an hour before the arrival of a train and up to half an hour after its departure. Those running the refreshment rooms would thus enjoy the privilege of serving liquor to all and sundry without having to pay licence fees or to comply in general terms with the provisions of the Licensing Act regarding accommodation, etc.

I feel, however, that this is a very strong reason for withholding any action while we have a committee inquiring into all aspects of licensing. If it were of the opinion that an amendment were necessary, we would then have the benefit of expert advice given after the hearing of evidence from all parties concerned and could base action thereon.

However, I hope the Committee will allow my amendment to be passed because it simply provides the same facilities for railway road-bus travellers as for train passengers. If the amendment is not agreed to, it will mean that the clause as printed will stand, which will provide that not only bona fide travellers but any person at all will be able to obtain liquor. I hope the Committee will pass the amendment and deal with the other aspects of the question after the committee of inquiry has submitted its findings.

Sitting suspended from 6.15 to 7.30 p.m.

The **MINISTER FOR RAILWAYS**: I hope the Committee will not agree to the amendment as it would be impossible to police. It would be ridiculous if a passenger were able to have a drink, but a friend meeting him or seeing him off could not.

Hon. J. D. TEAHAN: As one with experience of the large refreshment rooms at Kalgoorlie I oppose the amendment. There are large numbers of people meeting or seeing off people on the Trans-train and it would be ridiculous if travellers and their friends could not have a drink together.

Hon. G. BENNETTS: I think a traveller should be able to have a drink with a friend meeting him or seeing him off; and in any case the position could not be policed, as one would not know who were travellers and who were not.

Amendment put and negatived.

Clause put and passed.

Clause 5—agreed to.

Clause 6—Division 10A added to Part IV:

The **MINISTER FOR RAILWAYS**: I have no objection to the amendment Mr. Mattiske has on the notice paper.

Hon. C. H. SIMPSON: In that event, on behalf of Mr. Mattiske, I move an amendment—

That after the word "site" last occurring in line 9, page 4, the following proviso be added:—

Provided that a site certificate granted to the Crown or to any agency or instrumentality of the Crown or to the State Housing Commission or to a Municipality or Road Board shall only enure for the benefit of a purchaser from the Crown or from any agency or instrumentality of the Crown or from the State Housing Commission or Local Government authority of the site in respect of which the site certificate applies and not for the Crown or agency or instrumentality of the Crown or the State Housing Commission itself.

The **MINISTER FOR RAILWAYS**: The objective of the amendment is to ensure that where the State Housing Commission or any other Crown instrumentality plans a hotel site in a new subdivision it cannot operate a hotel on the site in its own interests. Where a hotel site is planned, in those circumstances, it will be auctioned and the purchaser of the land will have the right to apply for a licence for that site.

Hon. Sir CHARLES LATHAM: Would it always remain marked on the title deed?

The Minister for Railways: I imagine so.

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

Title—agreed to.

Bill reported with an amendment.

BILL—TRAFFIC ACT AMENDMENT (No. 3).

Second Reading.

Debate resumed from the 17th September.

THE MINISTER FOR RAILWAYS (Hon. H. C. Strickland—North) [7.40]: This measure was introduced by Mr. Logan with the object of reducing the fees paid on motorcycles and to abolish the double fee now applying to vehicles driven by diesel motors. There appears to be an anomaly in motorcycle licensing, and Mr. Logan seeks to remove it and also to give some relief in respect of the 1s. per gallon tax imposed by the Federal Government on dieselene.

It is contended by Mr. Logan that a revision of motorcycle licence fees is reasonable; but I think the present fee of £2 per year is not too much—and it is only a little over 9d. per week—for the use of the roads and the protection afforded by traffic authorities. Owing to their low petrol consumption, motorcyclists do not contribute largely by way of the petrol tax.

However, there may be an anomaly in respect of minimotors and other low-powered vehicles of up to 75 c.c. capacity. The departments concerned feel that perhaps a variation should be made in respect of low-powered vehicles. Mr. Logan suggests that the fee for vehicles of up to 75 c.c. capacity should be 15s. annually, but I feel that £1 would not be too much in the circumstances for the minimotors. For those from 75 c.c. to 350 c.c. I would suggest a fee of £2, as it is now; and for anything above that I would suggest a fee of £2 10s.

We should look at this matter in its true perspective. It is little enough to pay by way of an annual licence for a motorcycle. I agree that there should be some concession for the very small minimotor; but after all 4½d. or 9d. a week is very little to pay for the use of the roads, and for the protection afforded by the traffic authorities. I would offer those suggestions to the hon. member for his consideration.

HON. L. A. LOGAN (Midland—in reply) [7.46]: I am not wedded to the amendments I have on the notice paper. Originally I divided the matter into three phases; but after further consideration, I decided to divide it into four. I might mention, however, that the suggestion for three phases was given to me by a traffic inspector.

It is all very well to say that £2 is not much; I admit it is not. But the Minister is forgetting that irrespective of the size of the motorbike, more is being paid by way of third party insurance than is the case with some motorcars. I think this is wrong. We have the spectacle of a small pushbike for which the licence fee is 2s. 6d. having to pay £2 as soon as a minimotor is attached.

If it is good enough to divide motor-vehicles into different capacities then surely the same principle should apply to motorcycles. That is why I raised the question. I believe there must be some differentiation between the man who is riding a flash 650 c.c. B.S.A. as opposed to the fellow who is riding a scooter.

The Minister for Railways: The insurance is against the accident rate. It is not gauged by horse-power.

Hon. L. A. LOGAN: But the Minister will admit that the risk of accident on some of these smaller bikes is very small.

The Minister for Railways: The insurance companies work it out on the accident ratio.

Hon. L. A. LOGAN: Most of the accidents occur with the high-powered motor-bikes and not with the scooters.

Hon. J. M. A. Cunningham: That might be because there are more high-powered motor-bikes than there are scooters.

Hon. L. A. LOGAN: I think I could prove that there are more small motor-cycles on the road. Their average speed around the city is only 30 to 35 miles an hour. I do not see anything wrong with my proposals, and the Minister should consider the matter in the light of my amendment. I did not quite catch what the Minister said when he was speaking, and I will deal with that phase in the Committee stage.

Question put and passed.

Bill read a second time.

In Committee.

Hon. W. R. Hall in the Chair; Hon. L. A. Logan in charge of the Bill.

Clause 1—agreed to.

Clause 2—Third Schedule amended:

Hon. L. A. LOGAN: I move an amendment—

That all words after the word "paragraph" in line 8, page 2, be struck out and the following inserted in lieu:—

(a) without side car attached—

	£	s	d.
where the engine capacity does not exceed 75 cubic centimetres	15	0	
where the engine capacity exceeds 75 cubic centimetres but does not exceed 200 cubic centimetres	1	10	0

where the engine capacity exceeds 200 cubic centimetres

but does not exceed 350 cubic centimetres	2	0	0
where the engine capacity exceeds 350 cubic centimetres	2	10	0

I realise I was wrong in dividing this into three phases, because the 125 c.c. was getting into the higher class. I suggest the matter should be confined to 75 c.c. The next group would go to £2, which is the fee today, and the larger cycle would pay a fee of £2 10s.

The MINISTER FOR RAILWAYS: The hon. member has divided this into four units, but I think it would be better if it were divided into two. The fee for a 75 c.c. bike should be 15s.; a fee of £2 should be charged for bicycles from 75 c.c. to 350 c.c., and £2 10s. for anything above 350 c.c. The hon. member mentioned the question of insurance. Surely he does not contend that a farmer should pay half insurance because he is paying a half licence fee! The reason why insurance premiums are high is that the accident ratio is higher. A fee of £1 or £2 per annum is little enough to pay for the use of the road and the protection afforded.

Hon. L. A. LOGAN: I was not complaining about the third party insurance fee for motorcycles but merely pointing out that it was high when compared with that for motorcars. That was one of the reasons why I thought there should be a smaller licence fee. The third party insurance for a minimotor is only 10s.; but once we get away from that it is £4 4s. Surely the Minister does not contend that there are not more accidents with Holdens than there are with motorcycles!

The Minister for Railways: The ratio of the latter must be higher.

Hon. G. BENNETTS: When I was a councillor in Kalgoolie we received many complaints about the minimotors that were used by people working in the mines; they considered the licence fee was too heavy. I think the hon. member's amendment is reasonable, and it will encourage the use of lower-powered machines rather than high-powered ones which cause so many accidents and deaths. I support the amendment.

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

Title—agreed to.

Bill reported with an amendment.

BILL—CHURCH OF ENGLAND SCHOOL LANDS ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the amendments made by the Council.

BILLS (3)—FIRST READING.

- 1, Cattle Trespass, Fencing and Impounding Act Amendment.
 - 2, Nurses Registration Act Amendment (No. 2).
 - 3, Basil Murray Co-operative Memorial Scholarship Fund Act Amendment.
- Received from the Assembly.

BILL—FREMANTLE HARBOUR TRUST ACT AMENDMENT.*Third Reading.*

THE MINISTER FOR SUPPLY AND SHIPPING (Hon. H. C. Strickland—North) [8.51: I move—

That the Bill be now read a third time.

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

Ayes	13
Noes	12

Majority for	1
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Ayes.

Hon. G. Bennetts	Hon. G. E. Jeffery
Hon. E. M. Davies	Hon. F. R. H. Lavery
Hon. G. Fraser	Hon. H. C. Strickland
Hon. J. J. Garrigan	Hon. W. F. Willesee
Hon. W. R. Hall	Hon. F. J. S. Wise
Hon. E. M. Heenan	Hon. J. D. Teahan
Hon. R. F. Hutchison	(Teller.)

Noes.

Hon. N. E. Baxter	Hon. L. A. Logan
Hon. J. Cunningham	Hon. R. C. Mattlake
Hon. L. C. Diver	Hon. J. Murray
Hon. J. G. Hislop	Hon. C. H. Simpson
Hon. A. R. Jones	Hon. F. D. Willmott
Hon. Sir Chas. Latham	Hon. G. MacKinnon
	(Teller.)

Pairs.

<i>Ayes.</i>	<i>Noes.</i>
Hon. J. M. Thomson	Hon. H. K. Watson
Hon. H. L. Roche	Hon. A. F. Griffith

Question thus passed.

Bill read a third time and returned to the Assembly with amendments.

BILL—FACTORIES AND SHOPS ACT AMENDMENT.*Second Reading.*

Debate resumed from the 31st October.

HON. C. H. SIMPSON (Midland) [8.8]: The Bill before us is similar to one which was introduced last year and carried on the last day of the session. That Bill was not proclaimed. The reason given by both the Minister who introduced the Bill in another place, and the Chief Secretary, was that they had made statements and wished to call Parliament together again to explain why those statements were no longer valid. I am under the impression that last year's Bill was quite adequate, because it put into effect the recommendations of the Royal Commission which investigated the activities of the petrol industry.

That recommendation covered some adjustment of hours; it provided for certain hours on Saturdays and Sundays; it

recommended that provision be made for emergency supplies; and further recommended that the legislation should only apply to the metropolitan area, although there was a suggestion that country areas might come within the scope of that legislation if they so desired. The Bill before us now seeks to tighten up the measure which was passed last year, and also increases penalties. We cannot quite understand why there should be that necessity, and I can assure members that it was not in the minds of the members of the Royal Commission when the recommendations were made.

Members will recall that the old legislation which existed since 1946 had gone by the board; not really—it was honoured in the breach and not the observance and possibly conformed to the public demand. Therefore no Government agreed to interfere with the practice that had grown up allowing consumers to get petrol at any time they liked, and garages to cater for late trading or around-the-clock trading, so having a free hand in providing a service to the public. Undoubtedly, the service was regarded by the public as something to which they were entitled and there was an impression prevailing that the old legislation was challenged and no longer valid.

We were advised as a Royal Commission that on two occasions that legislation had been challenged, and there was in each case a technical flaw. Therefore those charged with the duty of administering the Act could at any time have applied the provisions as they then stood, and could have stopped Sunday trading altogether, subject to certain allowances being made for emergency services. Trading could have been from 7 in the morning to 6 at night and restricted Saturday trading—rather, Saturday would have been a closure at 1 o'clock.

While all these things could have been done, they have not been done. Why? Because the public demanded a service for something required by all sorts of men in all callings of life: wages men, men with big cars, and small cars, and men requiring to take supplies for their week-end outings and things like that; and it filled a public need.

When we were called upon to examine, first of all, the question of one-brand trading, the committee developed a much wider scope, for the simple reason that the select committee, which was appointed at the end of the session, was by the Government—acting within its powers—changed into a Royal Commission; and again, acting within its powers, given terms of reference covering the industry almost from top to bottom. The petrol Commission was faced with a long job which took up practically the whole of the period from the end of the session till the commencement of the next one. Despite a lot of criticism of the commission, it did a wonderfully good and con-

scientious job. It was agreed that in view of the importance of the issues involved, it was desirable for the commission to try to bring in unanimous findings, because members will realise that a four-to-one or three-to-two verdict is highly political and has not nearly the value of a recommendation which has the unanimous support of all members. So I think there was a certain amount of give and take among members of the commission in regard to the recommendations that were made.

While much of the work done by the commission was not concerned with the question of hours, as such, indirectly the whole of its considerations were bound up in that question; because over a period of years there was no doubt the trend of industry was such that trading, particularly in the late hours, became uneconomic for a large proportion of those engaged in the industry.

This was due to influences other than the normal influences of trading. It seems curious that an industry which had expanded its output by 50 per cent. in four years, instead of conferring prosperity upon those engaged in it, had according to evidence before the commission, put them in a worse position than they were in at the commencement of the period.

I take this opportunity to correct a figure in the commission's report that has been seized upon by the critics and much distorted. It has been said that the number of vehicles and the gallonage under review—1951-1955—and the number of petrol stations had all more or less marched in line so that those engaged in selling petrol, in total and on an average, sold the same amount in 1955 as in 1951. I am submitting this as evidence, taken from the script and giving figures that were extracted from the statistical records, to show that while the number of vehicles and the gallonage increased by 50 per cent., the number of service stations went up by 100 per cent. So the proportions were greatly disturbed.

The figures, for record purposes, are that in 1951 there were 56,802 registered vehicles, according to the W.A. Quarterly Statistical Abstract compiled by the Government Statistician; and in 1955, quoting from the same source, there were 88,574 vehicles, so the actual increase there was 56 per cent. These are official and factual figures.

In regard to gallonage, the releases from bond, excluding aviation petrol, were in 1951 some 43,528,076 gallons; and in 1954-55, 66,180,762 gallons, or an increase of 52 per cent., which marches in line. But the actual number of petrol stations—this is a figure which does not correspond—rose by 100 per cent.

I have not the actual figures here; but the comparison with other places was this: In Queensland there were 319 vehicles

to one station; in Perth there were only 240; whereas the accepted standard in the United States and the United Kingdom was 500. So there was a tendency to get out of balance.

In trying to arrive at any assessment of the industry, those engaged in reselling must have taken into account these figures, which had some influence on the actual trade they did. I just want to say that at that time I was one who was rather averse to any rabid curtailment of selling hours having regard to the position which developed.

My idea was that if the powers that be—those who administer the Act—had allowed a position to develop under which people opened stations until the early hours, or all night if they wanted to, then it was a state of affairs that had been allowed to develop and was actually encouraged. Those who built up a substantial business on out-of-hours or late trading and the like were definitely giving the public a service; and for that reason it was not fair that they should suddenly be told that their means of livelihood was going to be restricted by an altered schedule of hours.

In dealing with this ticklish question, we took the view that while we were immediately faced with two sections—the wholesale interests and the retailers—there was a third section that we had constantly and carefully to bear in mind—the people themselves; the consuming public. While they did not come into the picture prominently by way of tendering evidence, I think we all felt that their interest had to be carefully studied. In fact, there were only two witnesses out of a total of 80 odd, who can be said to have represented the public interest. One was the secretary of the Royal Automobile Club, Mr. Sam Mortimer; and the other was a lady named Mrs. Balfie, who had made a survey of the petrol industry in relation to garages, sales, attitude to one-brand stations, and the like, which was very interesting and informative. This was evidence that was put in for the consideration of the commission.

I wrote down a list of a number of reasons why I thought the question of trading hours should be made as elastic as possible. I have just picked up these notes casually from records that I have, and I think they are interesting because they reveal the state of mind which I had at the time. These are the notes—

The question of hours was not included in Mr. Oldfield's "Retailing of Motor Spirits Act, 1955." On the contrary Mr. Oldfield said specifically that there was no intention of disturbing the present system. Neither is the question of hours specifically included in the terms of reference.

At present, trading hours are governed by the Factories and Shops Act Amendment, Section 100 (3). At

present the law is a dead letter because it is not enforced, nor does it recognise public demand. The present statute was passed when rationing generally was being enforced, when the public were control-minded and when vehicles could only be secured under a permit system. The number of vehicles and the average mileage per vehicle was much less than now. Nevertheless there was considerable criticism of the Government of the day for cutting down hours.

The present custom meets public demand. Any variation would cause public reaction. At the present time a service station proprietor works only the hours he chooses to work. He can close early or keep open until a late hour. No one stops him.

If the present law is rescinded it will be in accordance with what is present practice. If amendments are considered then it should be under a zoning system—leaving the country areas free of restrictions. The public would probably demand certain facilities over the 24 hours. Petrol is an essential commodity for which there is no substitute.

Likelihood of night deliveries in the metropolitan area will create demand for petrol service at night. Vehicles will have to be serviced. Also warehouse staffs hauling goods.

At present petrol stations are divided into four groups—

- (1) Engineering shops working to factory hours with petrol pump facilities as a sideline.
- (2) Big resellers working long hours. Mostly petrol specialists on highways. Business built up on after hour trading.
- (3) Family concerns giving a 24 hour service.
- (4) Smaller service stations who can work shorter hours (and mostly do) but who sometimes open later to meet competition.

Comparable public need services. Transport; taxis; entertainment houses; food shops; fruit shops. Dangerous to recommend definite plan which could become outdated in a very few years.

Those are my views at present; but I will say that when we took the evidence, I think that over 90 per cent. of those who were engaged in the industry complained that the hours were too long and they wanted some restrictions. The commission had to consider the various pleas put forward. We made a close analysis of the petrol demand during the day, and we found that from 7 a.m. until, say, 7 p.m., the bulk of petrol was supplied; and that from 7 p.m. until 11 p.m., and even till 1 a.m., with some stations, there was a

fairly good demand. They were mostly the big stations situated favourably on highways and no doubt, while the total amount of petrol sold was very much less, because of there being only a few stations remaining open, it represented good business for them.

But the point was that there was some public demand. But, from 1 o'clock to 7 o'clock in the morning there was only a negligible amount of petrol required; yet on examining the latter figures supplied by retailers we found that there was rarely a blank hour when no one wanted petrol between 1 a.m. and 7 a.m.

Having regard to all the circumstances, and bearing in mind that many of the operators were keeping open at night to meet competition; that they were burning lights and giving a service they could not afford in many cases; that they were keeping men employed, when they could not afford it, and having to work on themselves, and if they kept men back they had to pay tea money and so on; it was considered that a schedule of hours for the average reseller, with some provision for after-hours service, and emergency service, would fit the bill. That is how the present schedule of hours, as framed last year, came into being.

I think that the position that has developed at present could be met by the legislation that was passed last year. But as it seems reasonably certain that this Bill will be carried, I am prepared to support the amendments that are on the notice paper under the name of Dr. Hislop; because I am satisfied that it is very necessary for some motorists at least to have a guarantee of being able to get petrol at selected points in the city, either under a restricted system or, in my opinion, better still, under the system of allowing a limited number of stations to be licensed where people can go and be assured of service, day or night, such as used to be the case with Yellow Cabs years ago. I think Dr. Hislop's amendments meet that need.

In our travels around the State we found that the problem was by no means acute in the country. The Mayor of Albany said to me personally, "I do hope that you are not going to recommend restrictive legislation as far as our area is concerned, because we do not need it. I own a garage with an engineering shop attached, and I work factory hours. I do not want the shop open at night; but there are a number of smaller service stations which are prepared, if necessary, to work round the clock and give that service which we consider necessary for a town like Albany, particularly during the holiday season."

One of the small garages there does not open until 11 a.m., and its principal line is the supplying of meals for travellers. It invariably remained open until the early hours of the morning; and it had a petrol pump for the convenience of travellers who might require petrol and a meal.

In any case, there was a workable understanding between the other resellers who had no wish to remain open, and who very often were machinery or car agents, and with whom petrol was not a very big item. They were glad that the service was being given to the public while they themselves were able to conform to ordinary working hours.

I intend to vote against the Bill for the reason that I think the position is fully covered by the Bill passed last year. But if the second reading is agreed to, I intend to support Dr. Hislop's amendments in the hope that the public will still be given a service which I am quite satisfied is needed.

HON. G. C. MacKINNON (South-West) [8.35]: After listening to the many discussions on this matter, both here, in another place, and in many other places, it is interesting to note the wide diversity of opinion there is in regard to it. I am sure that many people must be of the opinion that this piece of legislation is no solution to the problem. We have to fall back on an examination of the product in question—petrol and motor oils. Both of those commodities have gone beyond the stage where we could say that we could do without them. People might say that potatoes are a necessity in our lives. But we could do without potatoes for six months or twelve months; but we could not do without petrol for a day.

There are very few commodities of which a sudden cessation of supply would have a disastrous effect on the life of the country. Water is one commodity which we cannot do without. A few years ago coal would have been another, but that is no longer so. But petrol is one commodity which we cannot do without. If we sold water out of bowlers we would long ago have reached the same position as we are in today with regard to petrol. Had we relied upon village pumps, which were under the control of some person, we would long ago have been applying for legislation of this nature. We would have argued, with some justification, that people could always get a 4-gallon drum of water and take enough home to last overnight. It is obvious, from the speeches that have been made on this Bill, that we would have had regulations covering the supply of water between the hours of 7 a.m. and 7 p.m.

Hon. L. C. Diver: They had them in other parts of the world.

Hon. G. C. MacKINNON: But that does not necessarily mean that it is wise.

Hon. L. C. Diver: But it is very necessary.

Hon. N. E. Baxter: They have water restrictions here sometimes.

Hon. G. C. MacKINNON: Apparently I must use words of one syllable! I was not talking of water restrictions. We are

dealing with a commodity that is required, and it will be required even more in the future at all hours of the day and night. Mr. Simpson's quotations from the report of the Royal Commission show that there is a demand for petrol every hour of the day and night. As the country becomes more industrialised, and more shift work is undertaken, the demand for petrol at all hours will increase.

Of course, anybody who speaks to the operators of service stations—or who listens to the debates here—must have a great deal of sympathy for them. As Mr. Baxter pointed out, if a man has a good business on a corner, and he has a sufficient turnover to ensure a good return, which such a person deserves if he stays open until midnight; then he finds that on two of the other corners service stations are erected, and his staying open from 7 a.m. until midnight only provides him with a crust, he is deserving of some sympathy.

Hon. L. C. Diver: And there are plenty of them.

Hon. G. C. MacKINNON: I do not know about plenty.

Hon. L. C. Diver: I do.

Hon. G. C. MacKINNON: But it applies. I know of quite a number who are doing very nicely by staying open at night; and I know of others who tell me that if this Bill becomes law they will extend their hours of trade to comply with it. There are plenty of them who are at present opening at 8 o'clock in the morning, and closing at 6 o'clock at night but who will, if this Bill is passed, open at 7 a.m. and close at 7 p.m. Therefore it would seem that the solution might lie outside this Bill.

I have heard it suggested, or I have seen it written, that the obvious solution is that those service stations which do not want to stay open should be allowed to install a slot machine petrol bowser. That does away with the necessity of a man having to remain there at odd hours; but the motorist would still be able to get his petrol.

The car, by its very nature, is the ideal mode of transport in an emergency. All members in this Chamber must have been called on at some time or another to make a sudden and unexpected trip at night. So there is some value in being able to obtain petrol at special times. I think last year I also mentioned this point when I was speaking about all-night parking areas.

Members can check the figures if they wish, but they will find that it is essential, in an all-night parking area, that a 24-hour service be available. In short, to get a return on capital invested for a multi-storied parking area, or any all-day parking area, the person or company conducting the business must be able to supply petrol, oils, lubricants, and odd running

repairs such as the repairing of tubes, changing of tyres and so on, for 24 hours of the day.

It has been proved in Europe and America that that is essential; but so far as Western Australia is concerned that aspect of it has been eliminated. Under last year's piece of legislation we would have had several who could have extended into that type of business. There is one which under last year's legislation would have been able to operate as an all-night parking area. The mystery is why last year's legislation was not proclaimed and why the Bill before us has been introduced. The only reason that I can see is that the Bill will permit the Chief Secretary, who I believe to be an honest and forthright person, to escape honouring the promise he made in this House.

Hon. L. A. Logan: The mistake he made.

Hon. G. C. MacKINNON: If it is preferred to term it as such. He made that statement to Dr. Hislop. We have been informed that irrespective of whether or not this Bill is passed, the Act of last year will be put into operation, disregarding the undertaking given by the Chief Secretary. That being the case, one is led to believe that the sole purpose of this Bill is to relieve gracefully the Chief Secretary of the promise he made in this House last year.

So we come to the point which was referred to by Mr. Baxter. We cannot but have sympathy for the people who are engaged in this industry. This Bill will not prove to be any solution of the overall problem, for if it is passed the public will find it more and more difficult to obtain petrol at all hours. The greater the night activities of the community, the greater the shift work that is being done, the harder will it be for the motorist to obtain petrol.

All the time petrol is becoming a more important commodity which is needed by virtually everybody, as illustrated by the increase in car ownership. It has become a very common commodity which almost needs to be piped like water, and yet an effort is being made to restrict its availability.

One has only to speak to a number of service-station operators to realise that under the present methods of distribution of petrol, every sympathy should be extended to them. Because the Bill will solve no basic problem, and because I consider the legislation passed last year to be a more reasonable and realistic approach, I oppose the second reading.

On motion by Hon. J. M. A. Cunningham, debate adjourned.

Point of Order.

The Chief Secretary: On a point of order, although it might be a little late at this juncture, I thought Mr. Diver was about to speak to the Bill.

The President: I cannot permit the hon. member to speak at this juncture, as the debate has been adjourned.

BILL—ACTS AMENDMENT (SUPER-ANNUATION AND PENSIONS).

Second Reading.

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

As to Resumption.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [8.48]: I would like to know what is the intention of the House towards this measure. I do not want the second reading to go to a vote this evening, but members seem to be undecided. I do not want any member to be prevented from discussing this measure.

Hon. A. F. Griffith: You are the one who is undecided.

The CHIEF SECRETARY: I am not.

The PRESIDENT: I shall put the question to the House if members do not rise.

On motion by Hon. L. A. Logan, debate adjourned.

ADJOURNMENT—SPECIAL.

THE CHIEF SECRETARY (Hon. G. Fraser—West) I move—

That the House at its rising adjourn till 2.15 p.m. tomorrow.

House Adjourned at 8.50 p.m.