THE HON. V. J. FERRY (South-West) [11.4 p.m.]: I support the motion.

The PRESIDENT: Order!

Question put and passed, and a message accordingly returned to the Assembly.

House adjourned at 11.5 p.m.

Legislative Assembly

Wednesday, the 9th November, 1966

CONTENTS

The SPEAKER (Mr. Hearman) took the Chair at 4.30 p.m., and read prayers.

DARRYL RAYMOND BEAMISH (NEW TRIAL) BILL

Introduction and First Reading

Bill introduced, on motion by Mr. Hawke (Leader of the Opposition), and read a first time.

QUESTIONS (18): ON NOTICE

LAND

Exmouth Business Sites: Responsibility for Cost of Roads and Footpaths

1. Mr. NORTON asked the Minister for Lands:

   (1) When his department allocates land to private people for home building on leasehold terms, who is responsibile for the cost of putting down roads and footpaths?

   (2) Would any prepayment be required on such land as is the case with the leasehold business sites at Exmouth?

   Mr. BOVELL replied:

   (1) The local authority by arrangement with the Lands Department.

   (2) Proposals are given consideration at the appropriate time.

Carnarvon: Examination of Problems by Minister

2. Mr. NORTON asked the Minister for Lands:

   (1) Has he received a request from the Shire of Carnarvon to visit Carnarvon and make an on-the-spot survey of the problems confronting that town in respect of land for housing and industry?

   (2) If "Yes," when will he be making the trip?

   Mr. BOVELL replied:

   (1) Yes.

   (2) I am not able to indicate when it will be possible for me to visit Carnarvon.

IRON ORE

Mt. Newman Deposits: Submission of Consortium's Proposals

3. Mr. TONKIN asked the Minister for Industrial Development:

   (1) Has it been announced in Japan that the consortium of which B.H.P. has assumed the leading role and which proposes to develop Mt. Newman iron ore deposits will defer for two months submission of its plans to the Western Australian Government?

   (2) Has it been announced in Japan also that in the meantime the consortium will proceed to put its plans for Mt. Newman into operation?

(3) When he stated on Friday last with reference to Mt. Newman that, "No problems were expected" did he have in mind engineering plans only?

(4) If "No," does he see no problem for any of the companies which propose to sell pellets?

(5) Does he realise that in the renegotiation of iron ore sales which has been carried out, although the prices of lump ore and of fines have not been altered, the agreed upon alteration in the proportion of fines to lump ore will result in a substantial reduction in the total price of the ore sold and that it will be the cheapest iron ore leaving Australia?

(6) Will it be possible for the consortium to supply the additional 100,000 tons of fines in every million tons of lump ore and fines delivered under the contract without having to resort to processing higher value ore to obtain the required quantity?

(7) If "No," is such an uneconomic policy in the State's interest?

(8) Are processing plants to be specially established in Japan to use the increased quantity of fines with the result that prospects for the successful establishment of pelletising plants in Western Australia will be jeopardised?

(9) In particular, does not the plan of the consortium pose a serious problem for Cleveland Cliffs which may result in the loss to the State of its proposed works?

(10) Will he advise the consortium that the Government's acquiescence in the new proposals is not to be taken for granted, as appears to be the case, and request that these proposals be immediately submitted?

Mr. COURT replied:

(1) and (2) No announcement to this effect has been made in Japan by any representative of the Mt. Newman consortium, nor is any expected.

(3) No. There is no reason to anticipate any problems other than the normal details that have to be resolved in any matters of this magnitude.

(4) I foresee no more problems than the normal trading negotiations which are inseparable from the sale of such a commodity.

(5) The honourable member has apparently not been fully or correctly informed. The amendments to the contract have the effect of ensuring that buyers will take deliveries of ore at higher annual rates than would necessarily have been the case under the old contract. The increased annual tonnages are at higher prices than provided for such tonnages in the original contract and the average return will be higher notwithstanding some increase in the ratio of the fine ore. The pricing basis has Commonwealth approval.

(6) Yes. This ratio is not unusual.

(7) Answered by (6).

(8) Not to my knowledge. Japan already has substantial capacity for agglomeration of fine ore and will purchase from one source or another the fine ore it needs to feed these facilities. It is not expected increased tonnage of fines under this contract will have any significant bearing on future secondary processing plants in Western Australia.

(9) The matters are not related. Cleveland Cliffs' decision to defer the establishment of their project is for reasons quite independent of the Mt. Newman contracts.

(10) There is no need to advise the consortium, because they already understand the position as set out in the agreements ratified by Parliament, and the companies are conforming accordingly.

HOUSING

Building Societies' Loans on Leasehold Land

4. Mr. NORTON asked the Minister for Housing:

(1) Will building societies under his control lend money to build houses on land which is held under leasehold conditions?

(2) If "Yes," what is the shortest lease period under which money will be lent?

(3) Which building societies will make loans on leasehold land?

Mr. O'NEIL replied:

(1) Section 18 of the Building Societies Act, *inter alia*, empowers any society—

> To make advances to members and other persons, and to corporate bodies, upon the security of freehold or leasehold property by way of mortgage.

(2) Loans must be repaid within the period of the lease.

(3) Each application is dealt with by each building society on its merits. Whether a loan is granted on any proposition, either freehold or leasehold, is one for determination by the society concerned.

IRON ORE

Koolanooka: Quantity Mined, Fe Content, and Export Price

5. Mr. KELLY asked the Minister representing the Minister for Mines:

(1) What tonnage of iron ore was recovered in the quarter ended the 30th June, 1966, from Koolanooka?

(2) What was—

(a) the average Fe assay value;

(b) the exported price per ton?

Mr. BOVELL replied:

(1) 132,231 tons was railed from Koolanooka to Geraldton in the quarter ended the 30th June, 1966.

(2) (a) Average assay value on realised tonnage was 59.3 per cent. Fe.

(b) Average price per ton was $7.61 f.o.b. Geraldton.

Mt. Goldsworthy Deposits: Quantity Mined, Fe Content, and Price

6. Mr. KELLY asked the Minister representing the Minister for Mines:

(1) In the quarter ended the 30th June, 1966, what tonnage of iron ore was recovered by the Mt. Goldsworthy Mining Company?

(2) What was—

(a) the average Fe assay value;

(b) the price per ton?

(3) What other tonnage of iron ore was recovered in the Pilbara?

Mr. BOVELL replied:

(1) 123,300 tons.

(2) (a) Average assay value on realised tonnage was 65.65 per cent. Fe.

(b) Average price per ton was $8.76 f.o.b. Port Hedland.

(3) Nil at the stated date.

HARVEST TERRACE

Development as Main Road Link

7. Mr. GRAHAM asked the Minister for Works:

(1) What are the reasons for a main link between Wellington Street and Kings Park Road being developed as an extension of Harvest Terrace and involving considerable resumptions of entire properties, instead of upgrading Havelock Street which at the most would have required acquisition principally of unbuilt-on frontages?

(2) What is the cost of the resumptions which have been effected?

(3) Will the fact of proceeding with the Harvest Terrace extension render it virtually certain that the road between Parliament Place and Malcolm Street will remain?

(4) If not, how does he justify, from a traffic viewpoint, the steep climb and the right-angle turns which will then have to be negotiated in travelling from Wellington Street to Kings Park Road via Harvest Terrace, Parliament Place and Havelock Street?

Mr. ROSS HUTCHINSON replied:

(1) Havelock Street will provide the main link between Kings Park Road and Wellington Street. Harvest Terrace has been extended between Hay Street and Murray Street as part of a circulatory road between the one-way street system proposed for Hay and Murray Streets. It is a one-way street catering for north-bound traffic only. It provides a service to Parliament House and the new Government offices and any extension of them, giving them easy access to the city and to the Mitchell Freeway.

(2) Expenditure to date totals $99,200. There is one claim for compensation which is still being negotiated and for which a firm figure is not available.

(3) No.

(4) As explained in the answer to (1), this situation does not arise because the Harvest Terrace extension provides only for north-bound movement.

GOVERNMENT BOARDS

Number with Members not Receiving Payment

8. Mr. JAMIESON asked the Premier: With reference to my question of the 2nd November, 1965, "Government Boards—Number in Operation," would he obtain and supply a list of "other boards whose members do not receive payment," as mentioned in his answer to part (1)?

Mr. BRAND replied:

A list of all boards was supplied in answer to a previous question asked by the honourable member on the 9th November, 1965. (See *Hansard*, page 2193).

POLICE DEPARTMENT

Replacement of Officers by Civil Servants

9. Mr. HAWKE asked the Minister for Police:

(1) Is it true that a member of the civil service has recently investigated, or is currently investigating, the advisability of policemen in certain sections of the Police Department being replaced by civil servants?

(2) If so, is such investigation having a disturbing effect on members of the Police Force?

(3) If any report has yet been received, does it recommend any replacements or any disturbance of policemen from the positions they at present occupy, or any disturbance in the duties they now carry out?

(4) If so, how many police officers are concerned?

(5) Is it more costly to employ civil servants as against police officers within the Police Department?

Mr. CRAIG replied:

(1) Yes.

(2) Some affected may be concerned.

(3) A report dealing with one branch of the department recommends certain clerical work, now performed by able-bodied policemen, be done by civil service staff trained for this type of duty, thus releasing policemen for more important work of law enforcement for which they were selected and trained.

(4) To date six.

(5) No.

COUNTRY WOMEN'S ASSOCIATION

Kalgoorlie Branch: Letter to Minister for Health

10. Mr. EVANS asked the Minister representing the Minister for Health:

(1) Did he receive a letter from me dated the 2nd August, 1966, enclosing a letter from the honorary secretary of the Kalgoorlie Branch of the Country Women's Association?

(2) If "Yes," when may I expect a reply indicating his response to the views expressed therein?

Mr. ROSS HUTCHINSON replied:

(1) and (2) Yes; and, as the honourable member would be aware, he and other parliamentary representatives, who have also written on the matter, met me as a deputation this morning on the subject matter; that is, accommodation for geriatrics at Kalgoorlie.

11. and 12. *These questions were postponed.*

SCIENTOLOGY

Legislation to Ban

13. Mr. GRAHAM asked the Chief Secretary:

Is it intended to introduce legislation this session for the purpose of interfering with, or banning the teaching, propagation, and practice of, Scientology?

Mr. CRAIG replied:

No.

MEASLES

Availability of Vaccine

14. Mr. FLETCHER asked the Minister representing the Minister for Health:

(1) Is he aware—

(a) of a Press reference in *The West Australian* of Thursday, the 3rd November, 1966, revant to United States of America's plans for a campaign to eradicate measles;

(b) that an authority is quoted as saying that existing vaccines had proved highly successful?

(2) Is such a vaccine available in Australia?

(3) If not, will he ensure the availability of same at the earliest possible date for distribution to doctors and local authorities so that immunisation against measles among children may be carried out on a similar basis as with whooping cough, poliomyelitis, tetanus, and other complaints?

Mr. ROSS HUTCHINSON replied:

(1) (a) Yes.
(b) Yes.

(2) No.

(3) The American report on the use of the new attenuated live measles vaccine is being studied by the National Health and Medical Research Council and the department awaits its recommendation.

FREMANTLE HARBOUR

Slipway Cradle: Ownership

15. Mr. TONKIN asked the Minister for Works:

(1) Has the cradle from the Public Works Department No. 1 Slipway, Fremantle, become the property of Dillingham Shipyards (W.A.) Pty. Ltd.?

(2) If "Yes," how did this transpire?

Mr. ROSS HUTCHINSON replied:

(1) Portion of the surplus materials from the Public Works Department No. 1 Slipway, Fremantle, was sold to the Department of Industrial Development and incorporated in a slipway built by Dillingham Shipyards (W.A.) Pty. Ltd. for that department on Crown land.
The new slipway is leased to Dillingham Shipyards (W.A.) Pty Ltd.

(2) Answered by (1).

SHIPPING

State Ships: Replacement

16. Mr. TONKIN asked the Minister for Transport:

(1) For how long has the Government been considering the provision of replacement tonnage for the State Shipping Service?

(2) When is it expected that a firm decision will be made regarding the type of proposed new vessels and the projected date of their delivery?

Mr. O'CONNOR replied:

(1) Design requirements for a 5,000-ton special type container-general cargo vessel has been the subject of close study for two years and those for barge-carrying types for a lesser period.

(2) In view of the substantial financial commitment involved, it is not practicable at this stage to fix a commencing date for the replacement programme.

SUPERANNUATION AND FAMILY BENEFITS FUND

Retirement of Contributors before Elected Retiring Date

17. Mr. DAVIES asked the Treasurer:

Under what conditions are contributors to the Superannuation and Family Benefits Fund entitled to cease work before the elected retiring date and still draw benefits from the fund?

Mr. BRAND replied:

Generally, on attaining the age of 60 years, provided the contributor has served the State for a period of at least 10 years, or on the grounds of invalidity or physical or mental incapacity.

ORD RIVER SCHEME

Ceding of Portion of Northern Territory

18. Mr. JAMIESON asked the Premier:

In the event of a Labor Government which is committed to Ord River development not being elected to the Federal Parliament on the 26th of this month, would he make representations to the Commonwealth Government to cede that section of the Northern Territory which will become part of the completed Ord River scheme to the State of Western Australia so that in the event of the State proceeding alone or in conjunction with private capital it will have complete control over the entire scheme?

Mr. BRAND replied:

This question is largely academic at this stage.

In any case, I am sure a practical solution could be found to the development of that part of the Ord project in the Northern Territory when the ways and means of undertaking the project are finally worked out.

QUESTIONS (2): WITHOUT NOTICE

ITALIAN FLOOD DISASTER

Token Contribution to Victims by Government

1. Mr. GRAHAM aked the Premier:

Being mindful of the financial circumstances of the State, but at the same time bearing in mind the fact that there are some 40,000 persons of direct and indirect descent of Italian stock resident in this State, and, further, having regard to the shocking disaster in Italy, would he be prepared, on the basis of creating goodwill amongst these people of Italian origin, many of whom have relatives affected by the unfortunate circumstance, to make a contribution, or at least a token contribution, in view of the damage, suffering and loss of human lives?

Mr. BRAND replied:

The honourable member did not give me any indication that he intended to ask this question.

Mr. Graham: I am sorry.

Mr. BRAND: This is a difficult matter for the States. I think any contribution made from one nation to another is, as far as we are concerned, made by the Federal Government. I have been approached recently in connection with the disaster in Wales where, I think, a whole school was covered by an avalanche in one of the coalfields, and I took the stand that this was a matter for the National Government to decide. However, I am prepared to examine the suggestion, but I warn the honourable member not to forget that if I make a decision in favour of a contribution from Western Australia, it will set a pattern for each of the other States, and this is all the more reason why a contribution or a grant of some sort should be made by the central authority.

COUNTRY WOMEN'S ASSOCIATION

Kalgoorlie Branch: Letter to Minister for Health

2. Mr. EVANS asked the Minister representing the Minister for Health:

Arising out of his reply to question 10 on today's notice paper, would he please convey to the Minister for Health my desire to receive a reply to the letter and enclosure which I sent in August, as the matter was raised by the Kalgoorlie branch of the Country Women's Association and the deputation which took place this morning was instigated by the Goldfields Medi-

cal Fund. These are two different bodies and I would like a reply to be able to pass on to the body I mentioned earlier?

Mr. ROSS HUTCHINSON replied:

I will mention this matter to the Minister for Health, but I believe the honourable member himself is quite capable of representing to the Minister for Health the fact that he should receive a reply in whatever vein he expects.

STATE TRANSPORT CO-ORDINATION BILL

Report

Report of Committee adopted.

PUBLIC SERVICE ARBITRATION BILL

Second Reading

MR. BRAND (Greenough-Premier) [4.50 p.m.]: I move—

That the Bill be now read a second time.

This Bill, together with supplementary measures concurrently being introduced, provides for a new system of salary fixation and appeals for the Public Service. In order to explain more clearly the need for this legislation, I shall give a brief description of the present system.

The Public Service Commissioner has power to fix salaries of officers and classify positions subject to Part X of the Industrial Arbitration Act and to the Public Service Appeal Board Act. Part X of the Industrial Arbitration Act gives the Industrial Commission power to define salary classes and grades of positions whose salaries do not exceed what is termed the "justiciable salary," at present $6,416 in the clerical division; and to register agreements made between the Public Service Commissioner and the Civil Service Association concerning such salary classes and grades.

The Public Service Commissioner determines all salaries in excess of the justiciable salary limit and is required by the Industrial Arbitration Act to maintain reasonable consistency with salaries paid to officers within the jurisdiction of the Industrial Commission.

The Public Service Act requires the Public Service Commissioner to carry out a general reclassification of the service at least once in every five years. Every officer in the service has the right of appeal to the Public Service Appeal Board against the commissioner's decision concerning the classification of the position he occupies.

The appeal board consists of a judge or magistrate as chairman—usually a magistrate—one Government member, and one member elected by the Civil Service Association. Appellants are usually represented by an advocate or solicitor and proceedings follow formal court procedure. The board has power to determine in which class the position held by the appellant shall be placed. The decision of the board is final.

In practice, this system means that initially the Civil Service Association negotiates with the Public Service Commissioner, who is the recognised authority on public service salaries. If negotiations do not result in a formal agreement, the classes and grades are determined by the Industrial Commission. After the Public Service Commissioner has classified positions in accordance with the determined salaries, an appeal can be taken by each individual officer concerned to the Public Service Appeal Board; and in the final analysis the salaries of all public servants may be determined by a board which need have no expert knowledge, training, or continuity of experience or responsibility in salary fixation or industrial matters.

The principal defects of this present system arise from four main causes—

(a) Inadequate industrial coverage under Part X of the Industrial Arbitration Act 1912-63;

(b) Quinquennial reclassification of all positions in the Public Service;

(c) The right of appeal to the Public Service Appeal Board, which is available to every public servant in respect of quinquennial reclassifications; and

(d) Confusion caused by the fact that general reclassifications and new salaries agreements occur at different times. Salaries agreements are usually for three years, whereas general reclassifications are for five years.

I now propose to deal with these defects in some detail. Regarding the inadequate industrial coverage, the Industrial Arbitration Act gives very limited industrial coverage to persons employed under the Public Service Act. The limiting factors are—

(a) The Industrial Commission may define only a general salary framework of classes and grades.

(b) A serious doubt exists regarding the extent to which the commission has power to hear and determine "work value" claims for specific occupational categories or groups of officers.

(d) The upper limit of the commission's jurisdiction is $6,416 per annum.

Because of these limitations, the industrial arbitration legislation has been of restricted value to the Public Service Commissioner in salary fixation matters. It is most inadequate when compared with the industrial legislation covering public servants in the Commonwealth, New South Wales, South Australia, Queensland, and Tasmania.

With the emergence of work value cases throughout Australia in the last few years, occupational classifications are becoming more important, and there is need for a competent industrial authority to consider work value cases of various occupations.

During negotiations on a new salaries claim earlier this year, the Civil Service Association claimed that salary scales agreed upon for clerical and administrative division positions should be accepted as a common structure; and that professional and general division positions should be classified in accordance with their structure. The association intimated it had legal advice to the effect that the Public Service Commissioner had no power to fix differing classes and grades for the separate divisions of the service, and it appeared likely that the issue would have to be determined by recourse to legal processes. However, the association accepted an offer by the commissioner of a separate structure, thus leaving unresolved some important legal issues which will create difficulties in the future unless the uncertainty is corrected by legislation.

As regards quinquennial reclassifications, section 15 of the Public Service Act requires the Public Service Commissioner to reclassify all positions in the service, simultaneously, once at least every five years. In recent years this task has become increasingly difficult to perform and has occupied a great deal of the time of the commissioner and his staff—often to the detriment of other responsibilities of great importance. With the service numbering 6,000 positions—and increasing —a general reclassification has become an extremely arduous, complicated, and prolonged undertaking. Western Australia is now the only State which has a quinquennial reclassification system.

Regarding appeal rights, following a general reclassification every officer has the right of appeal to the Public Service Appeal Board. The last general reclassification was operative from the 1st January, 1963, and 1,900 appeals were lodged. It has required three and a half years of almost continuous sittings for the appeal board to complete hearing those appeals.

In recent times, the appeal board, which could be termed a "domestic" appeal board, has become more of an industrial tribunal, hearing work value cases argued at great length. It is not equipped for this role because of the following factors:—

(a) There is no continuity of responsibility for appeal board decisions; the deputy chairman—a magistrate who acts as chairman for the majority of appeals—is appointed for one set of appeals only, and the members change considerably from case to case and from year to year.

(b) Board members are not trained in industrial matters and do not possess the experience and knowledge of Australia-wide developments in salary and wage fixation which are essential in the determination of work value cases.

The present appeal board system has been trenchantly criticised on many occasions by former Public Service Commissioners. In addition to the defects already mentioned, the appeal board has the following administrative disadvantages:—

(a) The loss to the State in time, and efficiency, caused by the presence of large numbers of public servants, including many senior officers, during the hearing of appeals;

(b) the necessity for the commissioner to provide from his staff one board member, two or three advocates and the required research officers to prepare and present the cases—on the last occasion up to 3½ years in arrears;

(c) uncertainties as to classification and seniority over a very long period. Following the 1963 reclassification, many positions were filled, and in some cases promotional appeals were determined in the intervening period on a basis of seniority which was subsequently altered.

I pass now to the new system proposed in this legislation which will operate as follows:—

(a) Initially, all salary and allowances claims will be submitted to the Public Service Commissioner by the Civil Service Association. If agreement is reached, a formal agreement will be executed. If not, the commissioner will either make his own determination or refrain from taking further action.

(b) There will be a Public Service arbitrator who will have jurisdiction, where agreement is not reached, to confer with the parties, and, if necessary, to hear and determine claims from the association. The award of the arbitrator will be final and binding on all parties. The Industrial Court of Appeal, created under the Industrial Arbitration Act, will have power to hear appeals only on matters of law.

(c) The quinquennial general reclassification of the service will be abolished. Salary claims will be submitted covering occupational groups as and when the need for review becomes evident. Following an agreement with the commissioner, or an award of the arbitrator, the commissioner will be required to allocate appropriate salaries to those officers covered

by the agreement or award. An award made by the arbitrator will operate from the date of issue regardless of the length of time it may take the commissioner to allocate the prescribed salaries. Awards and agreements will operate for three years, so that, in effect, there could be a review every three years instead of every five years as at present. Occupational groups will be determined by agreement between the commissioner and the association. Where there is disagreement, the arbitrator will decide.

(d) The existing right of appeal on salary and allowances by individual officers to the Public Service Appeal Board will be removed. There will be substituted a right of appeal to the arbitrator against the commissioner's allocation of salaries following the issue of an agreement or award. The appeal must be lodged by the association on behalf of the officer concerned. The arbitrator will have power to decide whether he will hear such appeals and the manner in which they will be conducted. He may confer with the parties and hear such evidence as he considers necessary.

(e) The present system of splitting the service into administrative, clerical, professional, and general divisions will be abolished. There will be substituted a system of four numbered divisions, along the lines followed by the Commonwealth, South Australia, and Tasmania. This will remove certain existing tendencies to class distinctions and anomalies, and will facilitate the new system of salary reviews.

In general, the first division will consist of under-secretaries and a few senior professional officers with high administrative responsibilities. The total number in this division will be approximately 20.

The second division will comprise officers carrying out executive or professional duties at a high level.

The bulk of the service will be in the third and fourth divisions.

(f) The Public Service Appeal Board will still hear appeals relating to interpretation of the Public Service Act and the Forests Act concerning conditions of service, salary appeals by first division officers, and disciplinary matters.

A judge will be chairman of the board in matters of interpretation and in matters affecting first division officers. The arbitrator will be chairman of the board on other matters.

(g) The Industrial Commission is at present restricted in its jurisdiction on salaries to the "justiciable salary" limit. The arbitrator will have jurisdiction over all salaries except officers in the first division, whose salaries will continue to be fixed by the Public Service Commissioner.

The principle benefits to be derived from these proposals are—

(a) More adequate industrial coverage for public servants.

(b) Salary fixation and review will have greater flexibility and will be a continuing day-to-day procedure rather than a periodical task of major proportions disrupting the normal work of the service.

(c) Lengthy delays in finalising salary matters will be avoided.

(d) Final decision on salary matters will rest with a competent and appropriate industrial authority, with a continuity of responsibility.

The arbitrator will be appointed for a term of five years. His salary will be fixed by the Governor. He will enjoy Public Service conditions. If he is a public servant, and is not reappointed at the expiration of his term of office, he will have the right to return to a position of no less status than he occupied prior to his appointment as arbitrator.

In addition to officers under the Public Service Act, the arbitrator's jurisdiction will include those Government officers in other departments and instrumentalities currently covered by part X of the Industrial Arbitration Act. This jurisdiction will, of course, be extended beyond the justiciable salary limit.

A Bill to amend the Industrial Arbitration Act, to be explained by the Minister for Labour, provides for the repeal of part X and for necessary alterations to the legislative provisions governing the coverage of Government officers by the Civil Service Association.

The proposed new system is the outcome of a prolonged and comprehensive study of the problem by the Public Service Commissioner and his officers. An officer was sent East to examine in detail the systems of the Commonwealth and the other States, and to discuss their various advantages and disadvantages with Public Service authorities.

The Civil Service Association has been consulted and has been kept fully informed of our proposals. Over a year ago I wrote to the association that a review was in progress and invited it to submit any amendments or proposals it considered desirable, so that the Government could be fully informed on all points of view before arriving at a decision. Immediately the Public Service Commissioner submitted firm proposals to the Government, they

were communicated to the association, on the 20th September. Since that date, I have personally received a deputation from the association, and its officers have held many conferences with the Public Service Commissioner. They have been given the opportunity of studying the proposals in detail and all their representations have been carefully considered, and, where necessary, decided by Cabinet.

Mr. Hawke: Does that mean the association agrees with the contents of the Bill?

Mr. BRAND: No; I did not say so. The association claims that the new system takes away from officers some rights which they have enjoyed for over 40 years. It must be remembered that when the right of individual appeal to the Public Service Appeal Board was granted in 1920, the service numbered fewer than 2,000. Today it numbers approximately 6,000, and is continuously expanding.

It has taken 3½ years to dispose of appeals relating to the 1963 reclassification. During this time, a magistrate, a senior representative of the Public Service Commissioner, and a representative of the association have sat on the board. Two advocates from the commissioner's staff, supported by research officers, have been engaged almost exclusively on the preparation and presentation of cases. Senior officers of departments have spent hours, even days, at a time giving evidence and going through the processes of examination and cross-examination. In some instances up to two whole days have been occupied in hearing an appeal of one officer.

In the first year of the board's existence there were 650 appeals. In 1963 there were 1,900, and before these had all been disposed of a further 1,035 appeals were lodged by officers of the professional division although work had not even commenced on the next reclassification. These appeals are still before the board and have not been withdrawn, even though an agreement on professional salaries has been signed with the Civil Service Association. There is nothing under the present system to stop every officer in the service lodging an individual appeal. In such circumstances, and in the light of past experience, it would be impossible to dispose of these in the five years between reclassifications.

A system devised in 1920 has proved to be inadequate to meet the requirements of today and could not possibly cope with the needs of the future. No other Australian Public Service, either Commonwealth or State, gives to officers the right of individual appeal, although it does exist in a modified form in Tasmania, the numerically smallest of the States.

It might well have been expected in these circumstances that the Government would take steps to remove individual appeal rights. This legislation does not propose such action. It transfers them to a more competent authority and aims to streamline procedures to avoid the time-consuming and inefficient practices of the past.

To assist in accomplishing this, we have brought procedure into line with the Industrial Commission in that, except where points of law are concerned, legal representation before the arbitrator will be permitted only with his consent and that of the parties. It is not the intention of the Public Service Commissioner to oppose legal representation if desired in the hearing of major claims, but he is not likely to agree to it on the hearing of individual appeals. The arbitrator must be able to conduct these appeals without the need for protracted court procedures in the taking of evidence from an unrestricted number of witnesses. Unless he can do this, little will have been gained towards meeting the present entirely unsatisfactory position. The appellants may be represented by the trained industrial staff of the Civil Service Association.

This year it has taken the commissioner and the Civil Service Association nearly 10 months to reach finality in respect of a new claim for professional and general division salaries, quite apart from any question of reclassification. How long it would have taken had negotiations broken down and action become necessary before the Industrial Commission, it is impossible to predict. Even before the claims could have been considered on their merits, some very complex legal problems would have had to be resolved, possibly resulting in an appeal to the Industrial Court of Appeal. Some of the present provisions of part X of the Industrial Arbitration Act are incapable of clear and definite interpretation.

Once the Industrial Commission had acted, its decision would only have applied up to the "justiciable salary." Beyond that level, the Public Service Commissioner is required by the Act to fix salaries, observing "reasonable consistency." What constitutes "reasonable consistency" in the fixation of salaries is anybody's guess, and any determination of the commissioner could only be challenged in the Supreme Court. The action which should properly follow the hearing by the court of a challenge is also undefined.

I have said enough to indicate clearly that action to cope with this situation is necessary and urgent. We believe that this legislation will provide the machinery to enable claims by public servants in relation to salaries and allowances to be dealt with expeditiously and competently, and I commend the Bill to the House.

Debate adjourned until Tuesday, the 15th November, on motion by Mr. Hawke (Leader of the Opposition).

PUBLIC SERVICE ARBITRATION BILL

Message: Appropriations

Message from the Governor received and read recommending appropriations for the purposes of the Bill.

PUBLIC SERVICE APPEAL BOARD ACT AMENDMENT BILL

Second reading

MR. BRAND (Greenough-Premier) [5.15 p.m.]: I move—

That the Bill be now read a second time.

This is a complementary Bill to the previous measure I introduced. The amendments contained in this Bill remove from the Public Service Appeal Board Act the general appeal provisions relating to salaries and allowances of public servants, in accordance with the broad proposals for a new salary fixation and appeal system outlined in my remarks on the Public Service Arbitration Bill.

The Public Service Appeal Board will still determine appeals relating to salaries of first division officers, disciplinary action, and decisions of the Public Service Commissioner or the Conservator of Forests on interpretations of the Public Service Act or the Forests Act concerning conditions of service—other than salaries and allowances.

The Bill provides for a judge to be chairman of the board to determine matters affecting first division officers and questions of interpretation, and for the Public Service arbitrator to be chairman of the board on other matters. The provision for one Goverment member and one member elected by the Civil Service Association will remain.

Under the existing Act, members of the board hold office for one year, but are unable to resign should this become necessary. The Bill increases the term of members' appointments to three years and provides for the submission of resignations. The existing provisions of the Act concerning board sittings and procedure remain unchanged.

Debate adjourned until Tuesday, the 15th November, on motion by Mr. Hawke (Leader of the Opposition).

PUBLIC SERVICE ACT AMENDMENT BILL

Second Reading

MR. BRAND (Greenough-Premier) [5.18 p.m.]: I move—

That the Bill be now read a second time.

This is a Bill to amend the Public Service Act. In order to give effect to the proposed system of salary fixation for the Public Service, it has been necessary to make some amendments to the Public Service Act, The provisions of this Bill which relate to that subject were explained when I introduced the Public Service Arbitration Bill. However, opportunity has been taken to bring forward some other amendments to the Public Service Act.

Firstly, it is desired to make provision in the Act for the appointment of two deputy commissioners to assist the Public Service Commissioner in carrying out his ever-increasing functions and responsibilities. The Government does not support the appointment of a Public Service board, and believes that the service can more appropriately be administered by a single commissioner, provided he is given the necessary assistance. Although the Bill makes provision for two deputies, it is intended to make only one appointment at this stage.

Secondly, most of the provisions of the Act relating to the appointment of the Public Service Commissioner date back to 1904. The following alterations are proposed:—

(a) The commissioner is appointed for a seven-year term and there is no provision for a lesser term to enable him to retire at 65 years of age. The Bill rectifies this omission by providing that, if he is over 58 years of age, he may be re-appointed for a period to bring him to his 65th birthday. It also provides that, if he is not re-appointed as commissioner, he shall be entitled to return, until he reaches the age of 65, to a position of no less status than the one he occupied prior to his appointment as commissioner.

(b) The Act provides that the commissioner shall receive a salary to be determined by the Governor, but not less than £2,150 from 1st January, 1954, with State basic wage variations.

Salaries agreements now applying to the Public Service adopt the Federal basic wage and any reference to the State basic wage should be excluded.

The Bill provides for the commissioner's salary to be determined by the Governor from time to time, but to be not less than the present figure of $12,000.

A similar amendment will be required to the Audit Act in relation to the Auditor-General's salary.

(c) The Act is silent regarding the leave to which the commissioner is entitled. It contains a confusing provision that the commissioner shall be deemed to have vacated his office—

(c) If, except on leave granted by the Governor, he absents himself from duty for fourteen consecutive days or for twenty-eight days in any twelve months.

It is not known whether the 14 days was related to the normal period of annual leave which has now become three weeks, but the commissioner cannot now take his annual leave without the Governor's approval, otherwise he vacates his office.

The Bill provides that the commissioner shall be entitled to the same conditions of leave as public servants and that he shall have vacated his office if he absents himself for more than seven days in a year other than the leave to which he is entitled or any other period approved by the Governor.

(d) The Act provides that the commissioner may be suspended from office by the Governor and shall not be restored to office unless each House of Parliament resolves that he shall be so restored.

This is in conflict with the usual provision applying in other States and to the Auditor-General and the Industrial Commission in this State—that the suspended person shall be restored to office unless each House of Parliament passes a motion for his removal.

The Bill provides for this procedure to be followed.

The Act provides that the commissioner shall be deemed to have vacated his office if he engages in any paid employment outside the duties of his office. It is proposed to bring this into line with other Public Service positions by adding, "without the approval of the Governor."

Thirdly, section 48 provides that where an officer occupies a Government residence, the Governor may deduct from his salary a rent not exceeding 10 per cent. of his salary. In legislating for the Government Employees' Housing Authority, the Government rejected the principle of relating rental to salary and adopted the principle of a fair rent in accordance with the standard of accommodation. The 10 per cent. limit still applies to some Government houses not taken over by the authority, thus causing anomalous treatment. The Bill removes the 10 per cent. limit and provides for deduction from salary of a fair rent in these cases.

Fourthly, section 55 provides that approved leave without pay in excess of two weeks shall not, for any purpose, be regarded as service. This operates against the interest of officers who may be given extended leave without pay under the Colombo Plan or the International Labour Organisation to assist an under-developed country, and whose remuneration is met by the authority concerned. The Bill proposes to add to the existing clause the words—

Unless the Governor, on the recommendation of the Commissioner, otherwise determines.

Fifthly, where an officer transfers to the Western Australian Public Service from the service of the Commonwealth or another State, there is no provision for him to receive credit for his *pro rata* long service leave. The Western Australian and Queensland Governments are the only Governments which do not provide this reciprocal recognition. This places the State at a disadvantage in attracting officers whose services it may wish to acquire. The Bill provides for the State to accept liability for *pro rata* long service leave in such circumstances, with necessary safeguards.

Debate adjourned until Tuesday, the 15th November, on motion by Mr. Hawke (Leader of the Opposition).

INDUSTRIAL ARBITRATION ACT AMENDMENT BILL (No. 2)

Second Reading

MR. O'NEIL (East Melville—Minister for Labour) [5.26 p.m.]: I move—

That the Bill be now read a second time.

Following the introduction of the Public Service Arbitration Bill, certain amendments are necessary to the Industrial Arbitration Act. Broadly, this Bill provides for—

(a) the repeal of part X of the Act;

(b) the transfer of Government officers currently covered by part X to the jurisdiction of the Public Service arbitrator;

(c) the registration of the Civil Service Association as an industrial union under part II of the Act;

(d) the determination by the Industrial Commission in court session of applications made by the association or by other unions as to who shall be deemed to be "Government officers" in addition to those already defined in the Act;

(e) the removal from the commission's jurisdiction of those persons declared from time to time by the commission in court session to be "Government officers."

Part X of the Industrial Arbitration Act deals exclusively with the commission's jurisdiction in the matter of salaries, allowances, and conditions of employment of Government officers who are members of the Civil Service Association. In view of the proposal to transfer this jurisdiction to a Public Service arbitrator, it is necessary to repeal this part.

For the purpose of defining the jurisdiction of the arbitrator, it is necessary to determine who are Government officers. At present, certain officers in Government instrumentalities are covered by unions other than the association and it is essen-

tial that a competent authority be given the power to determine any dispute that may arise as to who are Government officers for the purposes of the Public Service Arbitration Bill.

It is considered that the Industrial Commission in court session would be the appropriate authority to determine this question, which could involve union rights, and provision has been made accordingly in this Bill. However, provision has also been made to ensure that the Civil Service Association retains its existing coverage of Government officers as enjoyed under part X.

The Government has agreed to the association's request that it be registered as an industrial union under part II of the Industrial Arbitration Act. With the repeal of part X, the association would no longer have any rights under the Act. The Bill makes provision for such registraton and provides the necessary procedures for the review of the association's rules and the hearing of any objections by other unions which may be affected.

Discussions have taken place with the Civil Service Association regarding these provisions. The amendments form an essential part of the new system of salary fixation outlined by the Premier in introducing the Public Service Arbitration Bill.

Debate adjourned until Tuesday, the 15th November, on motion by Mr. Hawke (Leader of the Opposition).

WEST AUSTRALIAN TRUSTEE EXECUTOR AND AGENCY COMPANY LIMITED ACT AMENDMENT BILL (PRIVATE)

Second Reading

Debate resumed from the 2nd November.

MR. COURT (Nedlands—Minister for Industrial Development) [5.30 p.m.]: The provisions of this Bill have been explained in considerable detail by the member for Perth who was chairman of the Select Committee of the Legislative Assembly which was appointed to report on the Bill in accordance with the procedure laid down under the Standing Orders. The Select Committee reported as follows:—

> Your committee, after taking evidence from a representative of the agents for the Bill, has agreed to a private Bill for an Act to amend the West Australian Trustee Executor and Agency Company Limited Act 1893-1955 with an amendment.

Summarised, the proposals, while removing the restriction that has existed in the past on uncalled capital, will increase the value of protection given to unpaid beneficiaries in the event of a dissolution or winding-up, by approximately $216,000, being the difference between funds available under the existing provisions—that is, security in the shape of an uncalled liability on the shares of the company—and funds which would be available under the new proposals; namely, the current value of the company's freehold property in St. George's Terrace. In addition, there is the further security in the sum of $10,000 deposited with the Treasury.

I thought I should explain that the position of beneficiaries is, in fact, improved in practice to a greater extent than outlined in the statement I have just made, because under the old order, as I understand the position, the beneficiaries ranked with the other creditors in respect of uncalled capital. The uncalled capital presented some difficulties in practice, because there was the task of collecting the debt from the people concerned.

I imagine that through the effluxion of time, deaths, and the delinquency of people to register changes and to retain their scrip, less than the amount shown on the balance sheet would, in fact, be available to the beneficiaries.

Under the new system, the asset available to the beneficiaries is very clearly stated, and they are to have the first call on the value of this real estate in the centre of the city; and if they do not get enough out of this asset they will still have the right to rank with the other creditors of the company.

The Government supports the Bill. It raises no objection, and can only see advantage accruing from its passage. I give notice of the Government's intention to support the Bill.

MR. BICKERTON (Pilbara) [5.33 p.m.]: I was a member of the Select Committee that dealt with the matter contained in this measure, and the matter contained in the Bill to follow. I do not wish to speak at any length, because the matter was covered very adequately by the member for Perth a few days ago. I only want to say that I consider the request of the two companies concerned to be very reasonable. I support the measure.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. Durack, and transmitted to the Council.

PERPETUAL EXECUTORS TRUSTEES AND AGENCY COMPANY (W.A.) LIMITED ACT AMENDMENT BILL (PRIVATE)

Second Reading

Debate resumed from the 2nd November.

MR. COURT (Nedlands—Minister for Industrial Development) [5.36 p.m.]: For the reasons I gave when speaking to the

related Bill dealing with the West Australian Trustee Executor and Agency Company Limited, the Government supports the Bill before us.

MR. DAVIES (Victoria Park) [5.37 p.m.]: I also was a member of the Select Committee which inquired into the requirements of the amending Bills. The reasons given by the member for Pilbara in supporting the previous measure are also the reasons I give for supporting the Bill before us.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. Durack, and transmitted to the Council.

SWAN RIVER

Reclamation at Maylands: Motion

MR. ROSS HUTCHINSON (Cottesloe—Minister for Works) [5.40 p.m.]: I move—

> That this House do resolve to approve, pursuant to subsection (1) of section twenty-two A of the Swan River Conservation Act, 1958-1966, the reclamation of an area of about two acres of the Swan River as shown in the plan deposited in the Public Works Department and marked P.W.D., W.A. 43513, and therein coloured red, and as so shown in the copy of that plan laid on the Table of the House, and that the Legislative Council be requested to so resolve.

This is the first motion to come before Parliament since the recent amendment to the Swan River Conservation Act. It will be remembered that the relevant amendment provides that any reclamation in the Swan River, or its tributaries, exceeding two acres in extent, requires the approval of both Houses of Parliament.

The introduction of this motion, following so closely on the passage of the legislation, must be something of a record but it has been done for two special reasons—

(1) The Maylands Yacht Club at present is housed in inadequate and dilapidated quarters near East Street jetty, and is anxious to build a new and attractive clubhouse on a site which urgently needs elevating, extending, and improving in a number of directions.

(2) The dredge, *Stirling*, at present undertaking improvement work in the vicinity of the Causeway will shortly be available, and it is economic to undertake improvement work in the Maylands area whilst the vessel and equipment are upstream of the Causeway.

I have just handed a copy of the plan to the Leader of the Opposition, and another to the members on the back benches of the Government. I regret that not more copies are available. Perhaps members will be good enough to circulate these copies among themselves. I suppose the member who secures the adjournment of the debate will be able to utilise one copy for his research into the subject.

This plan really speaks for itself. It has been prepared not only to show the minor amount of reclamation, but also to demonstrate the general improvements envisaged in the area. However, it is incumbent on me to inform members of the reason for the reclamation and to point out some of the salient features of the project.

A prime need of the Maylands Yacht Club is an adequate area of elevated ground on which to erect a new clubhouse, and to provide a working area for the rigging and launching of the small craft which are peculiar to this part of the river. The present structure is almost in a state of collapse and is quite inadequate for the needs of the club. With the goodwill of the Shire of Perth and with substantial financial assistance from that local authority, the club has decided to build new premises which will not only be functional but also aesthetically attractive.

The area to be reclaimed is shallow and comprises almost unusable water adjacent to the existing shoreline. The reclamation will permit of the construction of an adequate artificial beach and the elevation of the existing foreshore, and it will provide adequate shore working space for the needs of the club, which is doing an excellent job in providing healthy aquatic sporting facilities for the youth of the district, and which has an enviable record in State and interstate yaching events.

Mr. J. Hegney: Do you know how many members the club has?

Mr. ROSS HUTCHINSON: I cannot give that information. Although the extent of reclamation is shown as approximately two acres, it is hoped that figure will not be exceeded. I felt it desirable to bring the project before Parliament for approval, in view of members' and general State-wide interest in river improvement, and Parliament's responsibility under the legislation recently amended.

The remainder of the work is complementary and does not require parliamentary approval. It is a work of considerable magnitude and importance, and I trust it will be properly appreciated. It is designed to substantially increase the extent of navigable waters by deepening the extensive shallow sections which hamper the activities of the yacht club and other river users and restrict navigation. It will also improve the flow of the river in this section and facilitate the clearance of flood waters in times of heavy rains.

Looking at the proposed improvements on the southern side it will be noted that 45 acres of river will be deepened. The spoil will be pumped onto the low-lying land owned by the Western Australian Turf Club, which has undertaken to progressively landscape and improve the area by various means, including tree-planting. Members will also see that it is proposed to retain a small island and surrounding shoal water as a bird sanctuary, and for any other wild life and fish life.

It is also of interest to note that the new shoreline gives a considerable area of additional water to that contemplated under the recently repealed Swan River Improvement Act, 1925. The whole scheme is symbolical of the Government's desire to plan and provide for a properly balanced care of the river—in this case to open up and widen the river wherever possible—and points to the justification, if any is needed, for removing the 40-year old Act from the Statute book.

On the northern side the existing shoreline will be retained—except for the small area of two acres to which I have previously referred—but some 37 acres of shallow water will be deepened by pumping the spoil onto the southern side. I will refer to this northern side again in a moment. Further upstream, on the northern side, it is proposed to widen the river by reducing the size of the Maylands peninsular and pumping the spoil onto the Crown land and the old Maylands airport, thus serving two purposes—

(1) Providing an additional water way of another 38 acres approximately.

(2) Raising the height of the foreshore land to above flood level.

It will be observed on the plan that certain low-lying sections on the northern foreshore have not been made the subject of filling or improvement; and this is what I referred to a moment ago. Much of this land is under private ownership, and most of the blocks are very deep and run right down to high water mark. They will not be affected by the dredging operations.

In view of the general improvement work which is proposed for the area, the Shire of Perth is now investigating the possibility of filling some of the low-lying, mosquito-ridden areas and realigning the foreshore. Such a project, because it could involve further reclamation—indeed, would involve further reclamation—the planning of roads, public open space, and drains, and could affect property owners, although not necessarily adversely, will have to be carefully considered by all relevant authorities. Even if it is put forward as a town planning scheme it will be submitted to Parliament for consideration if any area of reclamation exceeds two acres, and it is expected, if it comes forward, that it will exceed two acres.

But I stress that at this point of time the investigation is only in the embryo stage and parliamentary approval to the limited project I am now submitting does not commit the shire or the Government to any further work in the area.

I commend this beneficial and composite plan to members and ask support for the reclamation of the two acres, not only because it is vital to the needs of the yacht club, but also because it is an integral part of a challenging and farsighted improvement plan. It has the strong support of the Shire of Perth—which is anxious to assist a worthy club—the approbation of all local authorities with territory on the riverfront upstream from the Causeway, and the approval of the Swan River Conservation Board, which, in conjunction with the town planning authority and the Public Works Department, initiated the project.

Perhaps I should point out at this juncture that the composite plan I have briefly described—and it is featured in the plan—is one which may take several years to complete. This depends of course on the availability of finance and equipment.

Furthermore, this project does not provide a pattern for upriver development. Each proposal for future improvement will be considered on its merits, as I firmly believe—as does the conservation board—that many of the wooded banks and rush-lined foreshores will need to be left in their natural state as a protection from erosion, to provide a beautiful vista for river travellers, and to ensure a sanctuary for birds and other wild life. I commend the motion to members.

Debate adjourned, on motion by Mr. Toms.

METROPOLITAN (PERTH) PASSENGER TRANSPORT TRUST ACT AMENDMENT BILL

Second Reading

Debate resumed from the 2nd November.

MR. GRAHAM (Balcatta) [5.52 p.m.]: I indicate immediately my attitude to this measure, which is one of anything but support. The Bill proposes that the Metropolitan Passenger Transport Trust shall come under the control of the Minister which means, of course, in all things. The trust will be subject to the Minister in the general administration of the Act.

I recall the situation some 10 years ago when we had a Tramways Department which was beset with all sorts of troubles, many of them of political making. We had the best part of a dozen private operators, some of them doing reasonably well financially, others ready to fall financially, and some, indeed, being propped up by contributions made by the Crown.

It would have been a comparatively simple matter for the private independent operators to be absorbed by the Tramways.

Department. Had that occurred then I think the condition of the Tramways Department would have continued to degenerate, but on a much grander scale. It was decided by the Government of the day in 1957 that an entirely new body should be established and charged with the responsibility of, first of all, taking over the various operators, and, then, conducting a passenger transport service in the metropolitan area.

This body or trust was purposely designed to be free from the difficulties of ministerial or political interference. It was desired that rather than enlarge an existing Government department or establish another one, this separate body should be established somewhat along the lines of the Australian Airlines Commission, which operates a service under the letters T.A.A.

I was the one who had the discussions with the various operators, and it was my responsibility to introduce the new legislation not before, incidentally, a move by the Liberal-Country Party Opposition to appoint a Select Committee to inquire into the proposals. The Select Committee was appointed and reported favourably. I am proud of the fact that the legislation was passed and more proud of the success of the venture. Anyone who can remember the situation in the pre-trust days and contrasts it with the situation now, must surely agree with me that the correct decision was made.

The standard of the vehicles and the morale and general appearance of the staff have been improved; better equipment, premises, and workshops have been provided; and forward planning in order to establish depots in more accessible and better located positions have been achieved. It is true that some of the employees feel a measure of injustice because some of the perquisites usually available to Crown employees do not apply in the case of those who are employed by the M.T.T. At the same time I do not think it can be truthfully stated that the employees, at whatever level, are suffering any injustice.

Indeed, on occasions when allegations along those lines have been made, I have accompanied delegations from the appropriate industrial organisations to wait upon members of the trust, and I have been completely satisfied—and I think those who accompanied me were, if not completely satisfied, then generally satisfied—that under the circumstances the trust had adopted the proper course.

It would be true to say that people in certain localities complain at the infrequency of the buses, and in other localities, including my own electoral district, complaints have been made that buses should follow certain routes, which they are not doing at present. In many cases, however, lengthy petitions are signed by, perhaps, 60 or 80 persons, but it is discovered that the number of patrons per bus trip is 1.2, or something of that nature. In other words, very few people use the bus services, but apparently they feel ever so much better if the buses are trundling around their area; or perchance once on a very rare occasion, they might have need for the bus and, having been used to the door-to-door service of a private motor vehicle, they feel there is something wrong if they have to walk any distance to catch a bus or if they have to wait for more than a few minutes for one.

Of course, the trust has a very definite public responsibility, which is to serve the public. However, it has an equal responsibility to the Treasurer; and, whilst it is not asked to balance its budget, nevertheless it would be irresponsible if it adopted the attitude that the extent of the deficiency each year was of no concern to it.

Therefore, I think we should summarise all of the circumstances and have regard for the fact that it has been operating as a complete unit for approximately six years only. I consider that all of us can pay a tribute to the first chairman of the trust (Mr. Adams) who, at the time, was, I suppose, without peer in the matter of omnibus transport in the whole of the Commonwealth of Australia. We should also pay tribute to Mr. Thomas, who succeeded him, and those who work with him. Because of the general success—perhaps I could say the outstanding success—of this venture operating under its present charter, I view with some concern the Government's proposal that the trust shall act under, and subject to, the Minister.

In what one might term, "the old days" the operation of the Tramways Department was subject to the Minister. I think there were occasions when the Minister saw more of the staff than did the general manager; also, the Minister saw more members of Parliament than did the general manager. Every time the employees, whether at officer level or whether at the level of the operatives and other employees, felt they had a complaint, or wanted something—and no doubt they were justified on very many occasions—they went to the top of the tree; namely, the Minister.

Mr. Jamieson: They did not get very much of a reception from the other heads, anyway.

Mr. GRAHAM: That may be so, but possibly because so many went to the Minister, there was a form of reaction—quite understandable, perchance—which was built up in the mind and in the outlook of the general manager. I am referring to Ministers before my time, because at no point did I exercise control over the Tramways Department. These Ministers complained of the many requests made by members of Parliament, which could not be substantiated, for tramway services or bus services to follow certain circuitous routes where there would be far more

corners to be taken than passengers to be carried. On account of political pressures, some of the approaches were made direct to the Minister, and other indirect political approaches were made to the general manager.

Everyone was aware of the fact that when the Minister said "Yes," it was yes and when he said "No," it was no. Effect was given to many of these requests—or demands in many cases—because of the resultant party political value through certain things being achieved. Because of these political approaches, the Tramways Department got into a hopeless mess and a dozen different managers would have found it impossible to operate the department on anything approaching a reasonable basis.

When it came to the unpopular task of making adjustments to the schedule of fares, once again, because of political considerations, either nothing was done or else it was a question of "too little, too late." Also, in the matter of promotions, demotions, and the creation of new positions, there were political temptations for the Minister to interfere in order to oblige a colleague of the same political party, and so on. I mention these matters, although they are not new to members of Parliament, even though some members in this House may have been unaware as to how the Tramways Department operated.

Therefore, the suggestion that we should depart from the type of administration which is enjoyed at present, and which, I suggest, has proved itself, in order to revert to a situation which experience has shown to be most unsatisfactory—indeed, a situation that was constantly going from bad to worse—is too much for me to contemplate. Accordingly, I find myself in opposition to this Bill.

It is true to say that the Minister who introduced the Bill has no desire either to be worried with the responsibility of, or to meddle in, the whole host of minor matters which are attended to by the trust and its officers at the present time. However, if the Minister has the responsiblity and the power, then, as certain as night follows day, quite properly, approaches will be made to him; because, after all, his word will be the final word in respect of any of these matters.

Whether it is possible to separate in a Statute matters which might be termed "high policy" from the ordinary administration, as such, of the trust, I do not know. It may be possible to devise a formula which would give effect to what I consider the Government desires, but without all the inherent dangers of going "all of the way"—and how I hate those last few words!

I am wondering what urgency there is in connection with this Bill. I am aware it has been introduced as a corollary to some extent to the major Bill, which we discussed last evening, the purpose of which is to set up a new transport commission under the management of a director-general of transport.

By the time this legislation is assented to and proclaimed—if it be the will of the Parliament that it shall pass—the director-general will have been appointed and will have assumed his new duties; he will have enrolled his staff and established his office; he will have set about the task of drafting regulations; and he will have carried out some preliminary surveys of the very many activities he will have to co-ordinate.

Surely between now and 12 months' time there will be no necessity for him to pull the M.T.T. into gear. Indeed, even if the M.T.T. warrants such treatment, he will not be ready for the task. Accordingly, if the House does not agree with the view points I have submitted, I make a plea to the Government and say there is no urgency for the passage of this Bill. I suggest that the Government spend whatever time is necessary during the next 12 months in order to see whether it is possible to state definitely and explicitly what it is that is required to enable the transport commission to operate. During this time, I suggest the Government should still leave on a legal basis all of the multifarious matters of administration in the hands of the trust.

Needless to state I am unaware of the attitude of the trust with regard to what it considers this measure will achieve, and I would not approach any member of the trust in order to ascertain its views. In fact, I suggest that I would not get any information or satisfaction if I sought to approach the trust.

However, from the original concept of the trust and the manner in which it has worked—by and large, causing very little trouble to any Government or to any Minister under which it has operated—I should say the trust would prefer to continue on in the same way as it is operating at the present moment. I say that with a sense of responsibility because, in the final analysis, it should continue operating the way Parliament feels it should, rather than in the way the trust feels it should.

Nevertheless I make a plea to the Government to hasten slowly lest, in its desire to establish this overall commission, the Government will commence a process of erosion and destroy something which is a worthy edifice.

Finally, I would like to say that I sincerely hope and trust I have not overwhelmed members with my affection for something which I had the honour to play some part in establishing; and, because of this, I may be fearful of a whole host of circumstances which will not arise. However, I believe my arguments are well based and, for that reason, I am begging

the Government to have a second look at the matter of not proceeding with the Bill before investigating the submission I have made and of endeavouring to do some effective drafting between now and the next session of this Parliament. Accordingly, under the circumstances, I am afraid I cannot vote in favour of this Bill.

MR. JAMIESON (Beeloo) [6.12 p.m.]: I would like to make a few remarks on this measure. I know that if the Minister for Forests were in the House, he would agree with me wholeheartedly in what I am about to say, because he likes to be reminded of these ventures into socialism, and socialistic control and consequence. I must commend the Government for this measure.

The position previously was that the M.T.T. was a semi-private institution, but now it will be placed back under the control of the Minister. As far as I am concerned, Parliament is the rightful control of any authority.

Of course, what the member for Balcatta has just said may be right, but I think his remarks reflect more on the administration of the day which exists in connection with the old Tramways Department, and other types of departments which were controlling transport at that time, rather than on the personnel, generally. Perhaps they needed to smarten up their ideas at that time; but we must remember that in the years to which he referred, we were still struggling out of the problems which existed in the war years; namely, vehicle replacements were very hard to come by and vehicles, consequently, were very hard to maintain.

Many of the buses which operated under the control of the transport trust were completely out of condition. We well remember that the Government of the day was not able to rid itself of some of these buses for quite a considerable time. The buses were very run down; and, as I say, this stems back to the war years.

I feel it is very wrong to blame the state of chaos in regard to the attitude of the personnel, or the state of disrepair of the vehicles at that time, onto the fact that the trust was under ministerial control. Because of the conditions which existed, I say it is wrong to lay the blame at the door of the Ministers, and to do this reflects very little credit on the Ministers who have had this control in the past. Rather than do that, I suggest we should look for some other reason as to why these things occur. Public finances are being found to maintain the M.T.T.

Sitting suspended from 6.15 to 7.30 p.m.

MR. O'CONNOR (Mt. Lawley—Minister for Transport) [7.33 p.m.]: I thank members for their contributions to this debate. The reason for bringing the M.T.T. under ministerial control was not with a view to having any authority over staffing or anything of that nature. I want to make that clear at the outset. I do not believe that a Minister should normally interfere with the staffing arrangements or the day-to-day operations of a department.

As I explained during my second reading speech, the reason for bringing the M.T.T. under ministerial control was to make sure that it came under the overall pattern of transport co-ordination, and that it fitted into the provisions of the Bill we passed last night.

I would like to say that I am in complete agreement with the views expressed by the members of the Opposition, when they said that over recent years, and since the implementation of the trust, the M.T.T. has operated satisfactorily. If we are to point a finger at anyone, we certainly cannot point it at the staff or the management because they have done the best they can in the circumstances. We must bear in mind that this department is providing a public service, and that it has given the utmost co-operation whenever it has been at all possible to do so. It has served the State well.

The morale of the staff is good, and generally they are well handled, and the management is doing the best it can to operate the department efficiently. Over recent years the equipment has also improved considerably, which helps to maintain the morale of the staff, and enables the department to operate on a much more satisfactory basis.

As I have said, I do not wish to interfere with the day-to-day operations of the staff provided the department is operating satisfactorily and giving a service to the public with the equipment it has on hand. So long as it is running economically, as far as the Government is concerned, I do not think it is the place of the Minister to interfere in matters like this.

Mr. Graham: You will not be able to avoid it.

Mr. O'CONNOR: If the honourable member will wait a moment he will see that I propose to move an amendment which may enable me to avoid this to some degree. While the amendment may not meet with the full approval of the member for Balcatta, I do hope it will be accepted by members generally. Naturally there are times when we have complaints in regard to the service, because there will always be certain people who want the service to run past their door rather than past somebody else's door.

The management of the M.T.T. has given a tremendous amount of time in trying to implement a service which will be of assistance to the public and which will prevent people having to walk too far. There are, however, areas which do not

require a continuous service and, of course, it is possible they do not get the service provided to other areas.

The staff and the management are, however, continuing to investigate this problem, and, as areas build up, they are endeavouring to provide the best possible service they can to the public.

I am quite sure that in the not-too-distant future the public of Western Australia must give more attention to the use of public transport. The public must either use buses and trains more often than it is doing at present, or else we will be confronted with greater difficulties than we are experiencing at the moment. If the public continues to use private transport there will be greater congestion and more clutter in the city, which will mean that the traffic will not be able to flow out of the city as easily as it should.

If a good service can be provided, it will obviate the necessity for people to park their vehicles in the city, and for them to walk long distances. I hope, therefore, that the members of the public will pay more attention to the use of public transport, and that this mode of transport will be given all the patronage it deserves.

As I have said, I propose to move an amendment during the Committee stage of the Bill. Although it is not completely along the lines suggested by the member for Balcatta, I would point out that it is not my intention, as Minister, to interfere with the day-to-day operations of the M.T.T., or of its management and staff, in any way at all.

I have had talks with the Parliamentary draftsmen to see how this problem can be overcome, and to ensure that the ministerial control will apply only in connection with the operation of the State Transport Co-ordination Act. The amendment I propose to move will reflect ministerial control only along the lines of that Act. I thank members for their contributions to the debate, and hope they will accept the amendment I propose to move.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. O'Connor (Minister for Transport) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Section 5 amended—

Mr. O'CONNOR: I move an amendment—

> Page 2, lines 6 to 8—Delete all words after the word "passage" down to and including the word "Act" with a view to substituting the following:— ", but is, for the purposes of the State Transport Co-ordination Act, 1966, subject to the Minister."

In my opinion, and in the opinion of the draftsman, this will remove from Ministerial control, the day-to-day operations of the staff, and will bring the M.T.T. under the Minister's control only in relation to the State Transport Co-ordination Act.

Mr. GRAHAM: The Minister is moving in the right direction, but the effect of his amendment will be insignificant. If the Minister studies clause 21 of the State Transport Co-ordination Bill which was agreed to yesterday he will find the director-general is charged with many duties and responsibilities, and accordingly, as far as that measure is concerned, so will the Minister be able to interfere with the domestic workings of the M.T.T.

If the Government is adamant that ministerial authority is necessary or that the trust shall operate subject to the Minister, this amendment will improve the position, and for that I am thankful. But politics being what they are, I am fearful that the influence of Ministers and members of Parliament will be such that the trust will be deflected from its course of doing what is right and proper in the interests of the trust and of the public, and that, instead, it could possibly be doing things which are in the best interests of members of Parliament or, perchance, of certain political parties.

Mr. JAMIESON: I oppose the amendment. I see nothing wrong with the proposal in the Bill. If the Minister does not want to do those things the member for Balcatta finds objectionable, he does not have to do them. Where the public purse is paying the piper, those who control the public purse should be responsible for the appropriate activities; and, seeing that the public purse is paying the piper, we should accept responsibility through Parliament, and through the Administration, for any money that is spent on the Metropolitan (Perth) Passenger Transport Trust, or any other trust.

Mr. Graham: Does that apply to the R. & I. Bank?

Mr. JAMIESON: The bank makes profits, and any instrumentality that makes profits will willingly be taken under the control of the Minister. The R. & I. Bank is subject to administrative policy.

Mr. O'Connor: There is a further control as regards the Treasury.

Mr. JAMIESON: That may be so, but it is no reason why the Minister should not have this control. I do not see why it should be limited. It is in clear and concise terms in the Bill and I see no reason why it should not stay. I am sure the Minister would have no desire to interfere, nor would he interfere; but the occasion can always arise when somebody steps out of line.

We are not here to second powers of responsibility to anybody else. In the initial stages, "Yes," but not in the final stages.

Mr. J. HEGNEY: I support the view expressed by the member for Beeloo. Over the years these questions have been discussed in this Chamber and I remember when, under the Government Railways Act, the Commissioner of Railways was the head of the Railways Department. When a certain Minister assumed office he had the Riot Act read to him and was told where his power began and ended. That was a terrible thing to do to a Minister appointed by the Government of the day. The same thing could possibly happen under this proposition.

I see no reason why the Minister should not be the ultimate head of these departments. It is only fair and reasonable that they should have a ministerial head. On the administrative side there will be men of common sense, but there may be times when they will not agree on procedure, and representations can be made to the Minister. When it comes to a question of policy the Minister, as head of the department, will have to take full responsibility. Therefore, I cannot see why the Minister should not be in ultimate control.

I have found it necessary to make representations to Ministers—Ministers who have gone from here—in order to get services for the district I represented at the time; and I have been received courteously by the administrators of transport authorities. They have discussed with me the problems I have brought to them, and if there has been no merit in them, they have told me so. I do not think there is any need for this amendment. There should not be any objection to the Minister having control, and therefore I oppose the amendment.

Mr. TONKIN: I contemplate the situation with which we are now dealing with a good deal of interest and not a little amusement. In 1960 I moved an amendment to a Bill introduced by the present Government in connection with a provision to give the Fremantle Port Authority, then known as the Fremantle Harbour Trust, the power to borrow; and I argued successfully that if this authority was to be vested with the power to borrow money, it should be under ministerial control.

I moved an amendment accordingly and this Chamber accepted it, but another place had other ideas. So I am wondering what is going to happen to this legislation when it gets to another place. Of course I would not say its members are models of consistency in what they do, so anything is likely to happen. However, I well recall on that occasion another place refused to accept the amendment of the Legislative Assembly that the Fremantle Port Authority be put under ministerial control. When the measure came back here this Government climbed down and accepted the situation that the Fremantle Port Authority was not to be subject to ministerial control.

If the Government believes that the Fremantle Port Authority should not be subject to ministerial control, what arguments does the Government advance to justify placing this authority under ministerial control; because there ought to be some consistent policy in regard to these matters? There should be some fundamental principle upon which we make the decision. As I have said, I am contemplating this situation with a good deal of interest to see how it finally finishes up.

Amendment (to delete words) put and passed.

Mr. O'CONNOR: I move an amendment—

> Page 2, line 6—Substitute the following for the words deleted:—", but is, for the purposes of the State Transport Co-ordination Act, 1966, subject to the Minister".

Mr. JAMIESON: Naturally, at this stage I have to go along with this amendment, which will give some form of ministerial and Government control. I think we have to accept the position that controls such as these ultimately come back to the Minister, even though they are subject to the Act.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 3 put and passed.

Title put and passed.

Bill reported with an amendment.

FINANCIAL AGREEMENT (AMENDMENT) BILL

Returned

Bill returned from the Council without amendment.

ROAD AND AIR TRANSPORT COMMISSION BILL

Second Reading

Debate resumed from the 2nd November.

MR. GRAHAM (Balcatta) [7.58 p.m.]: My remarks on this Bill will be exceedingly short and confined principally to the Committee stage when we will be debating several amendments to be moved by the Minister and some that appear on the notice paper in my name.

There should be no argument on this Bill, because it provides that what we now regard as the Department of Transport—from which certain powers and responsibilities have been taken—will, with a slightly different name—that is, the road and air transport commission—have the residual powers and authority remain under it. Because of that, I have no further remarks to add at this stage.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. O'Connor (Minister for Transport) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Interpretation—

Mr. O'CONNOR: I shall move two amendments to this clause. The first one is on the notice paper and deals with the gross weight of commercial vehicles. The system now in operation is quite complicated and has caused a lot of concern amongst the people who are interested in it. In recent times the Police Department has altered its system to a simpler one.

When I introduced the Bill I explained that it was my intention to simplify procedure as much as possible. By following the method used by the Police Department, we are achieving some simplification. The Commissioner of Police has given me some details of the previous charges, and, compared with those anticipated from the new system, there is very little difference. I move an amendment—

Page 3—Insert after the interpretation "goods" the following interpretation:—

"gross weight", in relation to a commercial goods vehicle, means the sum, expressed in hundreweights, of the unladen weight of the vehicle and the load that it is authorised, by its licence under this Act, to carry; .

Amendment put and passed.

Mr. O'CONNOR: I have a further amendment to clause 4 which is not on the notice paper. It has been noticed that in recent years the system of leasing or hiring vehicles has become much more prevalent in the community. Instances have come to hand where persons or organisations have leased vehicles to persons who have committed offences. The only person we can take action against is the actual owner of the vehicle, and we feel the person leasing the vehicle should be responsible for offences he commits.

The present definition of owner does not embody a hirer or a lessee, and therefore the commissioner cannot grant him a license under the present Act. My amendment will bring everyone under the Act and will make the hirer or lessee responsible for any misdemeanour. I move an amendment—

Page 3—Delete the interpretation "owner" and substitute the following:—

"owner", in relation to a vehicle, includes every person who—

(a) is the owner or co-owner of the vehicle; or

(b) has the use of the vehicle under a hiring, lease or hire-purchase agreement,

but does not include an unpaid vendor of the vehicle under a hire-purchase agreement.

Amendment put and passed.

Mr. GRAHAM: There is a clerical error in line 4, on page 4. It is obvious that the word "to" has been omitted before the word "be." I move an amendment—

Page 4, line 4—Insert before the word "be" the word "to".

Mr. O'CONNOR: I thank the honourable member for picking up this error, and naturally I support the amendment.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 5 to 13 put and passed.

Clause 14: Annual report—

Mr. GRAHAM: Subclause (2) provides that the annual report should be laid before both Houses of Parliament in the month of November in each year. I spent some time on this point last evening when we were debating another measure, and I stressed the necessity—indeed the desirability—of members having available to them annual reports of Government instrumentalities and departments whilst the Estimates were being considered.

My amendment on the notice paper proposes that the annual report should be ready and presented to Parliament no later than the 31st October. The Minister has been good enough to discuss this matter with me, as he has with his officers. There are certain difficulties associated with the preparation and subsequent printing of the annual report, and because of that I am prepared to go part of the way with the Minister and will accordingly move my amendment in slightly different words from those which appear on the notice paper. In other words, I intend the deadline to be the 14th November, instead of the 31st October. Therefore, I move an amendment—

Page 8, lines 5 and 6—Delete the words "in the month of November" and substitute the words "not later than the fourteenth day of November."

Mr. O'CONNOR: The date was altered from October to November at the request of the department because of the difficulty of getting the report before Parliament prior to October. The commissioner feels that the 14th November will be a suitable date. Also, Parliament normally goes into recess towards the end of November and it is desirable that the report be handed to Parliament, if possible, before it adjourns. Therefore, I support the amendment.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 15 put and passed.

Clause 16: Powers and authorities—

Mr. GRAHAM: Under the State Transport Co-ordination Act at present in force, it is stated that subject to the Act the commissioner may of his own volition, or under the direction of the Minister, make investigation, and inquire, and demand, and call tenders, and do all sorts of things. In the Bill, this clause provides that the commissioner, under the direction of the Minister, shall do some of those things existing in the present Act. Surely, if for some 30 years the commissioner has been doing things as they occur, and if he shall do other things and more things when the Minister requires it of him, that should meet the situation.

If, indeed, it be the desire of the Minister that he should not involve himself in all sorts of detail, he will let the department proceed on its way; but when he or the Government requires some additional investigation, then he shall have the power to direct. Therefore, all I am seeking to do is to insert the identical words in this clause as are in the corresponding Act at the present time. I move an amendment—

> Page 8, line 26—Insert after the word "Commissioner" the words "may of his own volition or".

Mr. O'CONNOR: I am sorry that in this instance I cannot go along in the same amicable way as I have done so far with regard to the honourable member's amendments. I do not intend to agree to this one. The commissioner is responsible for the administration of the Act, subject to the Minister, and I do not see why that state of affairs should not be continued.

Normally, so far as tenders and so on are concerned, the commissioner refers them to the Minister because, in many instances, they involve policy matters as well. We have to bear in mind, too, that we will have a director-general of transport who will be involved in the overall co-ordination of the transport system, and unless there is some means of contact direct with him, such as through the Minister, the lines between the commissioner and the director-general could become crossed. The honourable member could argue that the commissioner is a member of the authority and will therefore be sitting with the director-general at a number of meetings. However, I would prefer the clause to be left as it is, and therefore I oppose the amendment.

Mr. GRAHAM: The Minister's attitude runs completely counter to his earlier expressed desire that only matters of high policy should be dealt with by the Minister. It is true the commission will operate under the general direction of the Minister, but, surely, if it is a question of somebody running a weekly vegetable service from Ravensthorpe to Hopetoun, for instance, the Minister will not want to be placed in the position of having to give a direction to the commissioner before he calls tenders or before he subsidises somebody by a few dollars a trip. I am sure the Minister could not give me an example of where, after 30 years of operation, and under legislation with these identical words, the Transport Board or the department has gone to excess and done things which it should not have done.

No departmental officer with a sense of responsibility and a desire to retain the confidence of the Minister would be likely to involve his department in terrific sums by subsidising completely unnecessary forms of transport. These officers have shown they have a due sense of responsibility. I appreciate that in this Committee, arguments do not win; it is the numbers that count. However, I hope the Minister will have second thoughts, because nobody wants to subtract from his powers and he will still be supreme, as this Act will operate under the jurisdiction of the Minister. The amendment will enable the commissioner to do certain things on exactly the same basis as he has been doing them for the last generation.

In addition, the amendment will allow the Minister, of his own initiative, to require the commissioner of air and road transport to undertake certain activities if the Minister so requires. Therefore, I am rather surpised that the Minister is opposed to the amendment.

Amendment put and negatived.

Clause put and passed.

Clauses 17 and 18 put and passed.

Clause 19: Application of Part—

Mr. GRAHAM: I do not claim fame as a parliamentary draftsman or as a standin for the Solicitor-General, but this part of the Act is headed "Licences" and it refers to "vehicles operated by the Crown, or by an agency of the Crown." That indicates to me the only vehicles that need to obtain licenses are those expressly mentioned. Nowhere else in the clause does it state that all other vehicles shall be licensed; that is, of course, licensed subject to certain conditions. When I refer to "licensed" I mean licensed for the purpose of this Act and not the Traffic Act.

In order to make the Act do what I think it is intended to do—that is, provide that vehicles engaged in certain pursuits, whether in respect of the cartage of goods or persons shall be licensed under this Act, whether they are privately operated or operated by the Crown—I move an amendment—

> Page 10, line 30—Insert after the word "to" the words "all vehicles operated including".

Mr. O'CONNOR: I mentioned this clause to the Parliamentary Draftsman and the commissioner. It is thought the position is covered in clause 20, where it states

"every vehicle that is operated after the coming into operation of this Act is required to be licensed under this part." However, I can see the point the honourable member is making and if he thinks clause 20 does not cover the position, or that his amendment clarifies it, I am prepared to agree to it. I would like the honourable member to indicate whether he feels the position is covered, as the Parliamentary Draftsman indicated.

Mr. GRAHAM: I only partly stated the case. Subclause (2) will allow the Minister to exempt any vehicle or class of vehicles or any part of the State from the provisions of the part we are discussing. That is only in respect of Crown-operated vehicles; there is no such provision applying to private vehicles, which are subject to clause 20. Therefore, from an operative point of view it is absolutely essential that the words in my amendment be included in clause 19.

If that is agreed to we could, perhaps with advantage, delete the subclause in clause 20. However, the Minister can investigate that matter and, if necessary, have action taken in another place, because there is no need for a principle to be enunciated twice. I hope the Minister will agree with me that subclause (2) should apply to vehicles whether operated by the Crown or operated privately; and that these should be exempted in either or both cases if the circumstances warrant; and, of course, the Minister does that by gazettal. Therefore I hope the Committee will agree to my amendment.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 20 put and passed.

Clause 21: Fees for Licences—

Mr. GRAHAM: Members will observe that one of my amendments is to make some alterations to this clause and, if the Minister has his way, it will appear in a different form. It would be appreciated therefore if I could have some indication from him whether he accepts in principle what my amendment on the notice paper seeks to achieve; because if that be so it will be necessary for him to move his amendment in parts. He will move the first part, then I will move my amendment, and he will move the balance of his amendment.

Clause 21 refers to fees payable to the commissioner in respect of every public vehicle license or an omnibus license, etc., and for a commercial goods vehicle other than a trailer or semi-trailer. I want to tie that in with clause 33 on page 17 where reference is made to a license not being required in respect of any commercial goods vehicle that is operated solely in the area within 20 miles of the G.P.O.; is operated solely within 20 miles of the place of business of the owner; or is being used otherwise than on a road. I wanted that provision stated in the clause we are considering, because it refers to fees being payable in respect of every public vehicle license. I consider this is an oversight by the Crown Law Department, so perhaps the Minister will let me know what he thinks of the proposition.

Mr. O'CONNOR: I do not believe the words suggested by the member for Balcatta are required. In fact, I think they are superfluous, because clause 21 relates only to public vehicles. I have discussed this provision with the Parliamentary Draftsman and he is of the opinion that the clause, as printed, covers the position, and that the amendment proposed by the member for Balcatta is quite superfluous.

Mr. GRAHAM: The Minister has raised some doubt in my mind. I would be pleased if he would check the matter further, and if the position is amply covered I will be quite satisfied, but if not he can take action to have an amendment moved in another place. In view of the circumstances I will not proceed with my amendment.

Mr. O'CONNOR: I thank the honourable member. I can assure him I will have the matter further examined and will discuss it with him later and, if necessary, will make arrangements to have an amendment moved in another place. At this stage, I move an amendment—

> Pages 11 and 12—Delete paragraphs (b) and (c) of subclause (1) and substitute the following:—
>
> (b) for a commercial goods vehicle, other than a trailer or semi-trailer, a fee, not exceeding a fee calculated at the rate of one dollar per hundredweight of the gross weight of the vehicle, determined by the Commissioner; and
>
> (c) for a trailer or semi-trailer, a fee, not exceeding the appropriate fee provided by the Second Schedule, determined by the Commissioner.

I have already pointed out this evening the reasons for this amendment to clause 21. Its purpose is to bring the provision into line with the regulations applied by the Police Department, and the fees applying in this clause will be comparable with the fees that were indicated previously as being applied under the previous Act.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 22 to 37 put and passed.

Clause 38: Conditions of commercial goods vehicle licence—

Mr. O'CONNOR: I move an amendment—

Page 20, line 10—Delete the passage, "with." and substitute the following—

with; and

(d) that the vehicle carry no load exceeding that stipulated in, and authorised by, the licence.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 39 to 63 put and passed.

First schedule—

Mr. GRAHAM: This schedule sets out a whole host of persons, and vehicles, and also circumstances, in respect of which no license is required for the transport of certain goods. In paragraph 14 of the schedule, there may be exempted from the payment of fees—

Any carriage for which, in the opinion of the Minister, it is necessary, either generally or subject to conditions, to grant an exemption from the provisions of section 20.

We debated clause 20—the section 20 referred to—earlier, and it deals with the necessity for every operated vehicle to be subject to license. In the Act at present this is a matter that is left—as it has always been—to the commissioner; but having regard to the fact that the Minister has overriding authority, he can direct the commissioner whenever he thinks fit. The Minister should not be required to grant an exemption or dispensation in any particular case.

I recall one instance concerning people personally known to the Minister and myself, who, on account of unfortunate circumstances, found it necessary to use road transport from Perth to a centre near the northern coast of the State.

Instead of the goods being transported by rail for a certain distance and then by a public transport operator, the circumstances were such that it came to a question of these people approaching me, my speaking to the Transport Board on the telephone, and the person concerned explaining the circumstances first-hand to a responsible officer of the Transport Department, who had no second thoughts on the matter, because he immediately granted the licence that was required.

I cannot see, in these individual cases, the necessity for the Minister to become involved. He has overriding authority and all this provision in the schedule can do would be to make the position involved and cumbersome and to the disadvantage of people who find themselves in a plight; and those people at the other end—in a country centre—could also find themselves in all sorts of difficulties because of the delay in obtaining ministerial approval. Therefore, if in the opinion of the Ministe he considers it necessary, in view of th circumstances, to grant an exemption fro the requirement to obtain a license, thi should be done. For that reason, I mov an amendment—

Page 34, line 2—Delete the wor "Minister" and substitute the wor "Commissioner".

Mr. O'CONNOR: I have no objection, i any emergency, to that being handled b the commissioner in certain cases. I am wondering, however, whether this would in some way, complicate the provisio contained in clause 19, on page 10. I wil read from line 35 on that page for th benefit of the honourable member. Claus 19(2) states—

The Minister may, by notice published in the *Government Gazette* exempt any vehicle or class o vehicles or any part of the State fro the provisions of this Part, subject t any conditions that may be set out i the notice.

Mr. Graham: That would be the genera policy, whereas my amendment refers t exemption in more specific cases.

Mr. O'CONNOR: I agree. However, have no objection to the amendment.

Amendment put and passed.

First schedule, as amended, put an passed.

Second schedule—

Mr. O'CONNOR: I move an amendment—

Pages 34 to 36—Delete all word from and including the heading "PART I." down to and including th heading, "PART II."

I have given the reason for this amendment, which is to fit in with the new charges that have been suggested. The amendment is complementary to thos already agreed to.

Amendment put and passed.

Mr. O'CONNOR: I move an amendment—

Page 36, lines 3 to 5—Delete the words "including the weight of the trailer or semi-trailer plus declared maximum load" and substitute the words "gross weight".

This amendment is consequential on those already agreed to.

Amendment put and passed.

Mr. O'CONNOR: I move an amendment—

Page 36—Delete all words in the last two lines of the schedule.

Those two lines are no longer required in view of the amendments just agreed to.

Amendment put and passed.

Second schedule, as amended, put and passed.

Title put and passed.

Bill reported with amendments.

STATUTE LAW REVISION BILL (No. 2)

Receipt and First Reading

Bill received from the Council; and, on motion by Mr. Nalder (Minister for Agriculture), read a first time.

EASTERN GOLDFIELDS TRANSPORT BOARD ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from the 2nd November.

MR. MOIR (Boulder-Eyre) [8.52 p.m.]: The Eastern Goldfields Transport Board is in a different position from that of the Metropolitan Transport Trust in that the members of the former board—comprising members of each of the three local authorities—are elected to serve for a certain period.

I have no objection to the proposal to give the Minister control of the board, and I do not imagine any Minister would interfere with the work of the board. Over the years the Eastern Goldfields Transport Board has done a fine job, and the Government has assisted it by making available buses and by helping to meet the deficits.

The figures given by the Minister when introducing the second reading showed that in the last financial year the deficit financed by the Government amounted to £2,972, and each of the three local authorities subscribed £991, making a total of £5,945—not a total of £3,945 as the Minister indicated.

Last night when speaking to the Annual Estimates I asked the Premier a question in respect of the assistance given to the Eastern Goldfields Transport Board. Last year the vote was $7,000, and $5,944 was expended. This year the estimate is $25,000, or an increase of $19,056. The Treasurer explained that was money required as the Government's share for the purchase of vehicles for the Eastern Goldfields Transport Board.

Where the Government is called on to contribute substantial sums for the operation of transport services, provision should be made to give the responsible Minister some control over the board concerned. In the case of the Eastern Goldfields Transport Board, a request was made to the Government for funds, but the request could have been refused if the board had not been carrying out its functions in a proper manner.

In principle the responsible Minister should be empowered to exercise a degree of control where that is necessary. The Minister has foreshadowed an amendment, but, quite frankly, I do not think it is necessary. In any event it would not make much difference if it were passed.

With the Minister having direct control over the operations of the board, it will carry on its functions in the future as it has done in the past in a highly commendable manner for the welfare of the people of Kalgoorlie and Boulder who have to use public transport. I support the Bill and the foreshadowed amendment of the Minister.

MR. O'CONNOR (Mt. Lawley—Minister for Transport) [8.58 p.m.]: I agree with the remarks of the member for Boulder-Eyre, who said that the Eastern Goldfields Transport Board has operated very successfully over recent years. From all reports I have received, I find that it has conducted a very efficient service, though on many occasions under great difficulties.

Initially the board operated with second-hand buses supplied through the M.T.T., and it was only recently that the first new bus was acquired. The board now has new vehicles and for that reason it will be able to provide a better service.

The member for Boulder-Eyre said that I had foreshadowed an amendment. This amendment is along the lines of the one I moved to the Metropolitan (Perth) Passenger Transport Trust Act Amendment Bill. As I explained, it is not the intention in bringing the Eastern Goldfields Transport Board under direct ministerial control to take the day-to-day operations out of the control of the board. The existing management is very capable, and is able to handle these matters efficiently. I am sure the board will operate very effectively. No intereference with its operations or with its staff is intended. During the Committee stage I will move the amendment I have foreshadowed.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. O'Connor (Minister for Transport) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Section 6 amended—

Mr. O'CONNOR: I move an amendment—

> Page 2, lines 3 to 5—Delete all words after the word "passage" down to and including the word "Act" and substitute the following passage:—"and that Board is, for the purposes of the State Transport Co-ordination Act, 1966, subject to the Minister".

As I have already explained, this is to bring the board under the control of the Minister only as far as the State Transport Co-ordination Act applies. There is no intention of interfering with the day-to-day operations of the board.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 3 put and passed.

Title put and passed.

Bill reported with an amendment.

LOCAL GOVERNMENT ACT AMENDMENT BILL

Second Reading

MR. NALDER (Katanning—Minister for Agriculture) [9.3 p.m.]: I move—

That the Bill be now read a second time.

The amendments contained in this Bill have been found necessary during the course of the year and, in most cases, have been referred to the three associations connected with local government and have their support.

Firstly, the Bill provides for the amendments to come into force on a date to be fixed by proclamation, and includes a machinery amendment regarding the arrangement of the Act necessitated by subsequent amendments. The next amendment deals with the definition of "owner". At present this definition does not include life tenant and doubt has been expressed whether a local authority is acting within its legal power in raising an assessment against a life tenant.

Under the Act at present, a local authority can raise an assessment where the owner cannot be ascertained, but it has been suggested that the present situation in respect of life tenancies is not that the owner cannot be ascertained, but rather that there is no provision in the legislation for the owner to be defined. The present definition of owner, so far as is relevant where used in relation to land, means "the whole of a legal or equitable estate in fee simple in the land." A life tenant is said to be the proprietor of an estate for life in land and this estate is freehold estate but is not "an estate in fee simple in possession," whether legal or equitable.

Under the Road Districts Act "owner" was defined in section 5, as follows:— "Owner" as applied to land means "any person who is in possession, as—(a) the holder of a legal or equitable estate of freehold in possession therein." Under this definition the holder of an estate for life would clearly be included and it is therefore proposed to substitute the words "of freehold" in lieu of "in fee simple" to ensure that such holders of land are ratable.

The amendment contained in clause 5 has been brought about by the difficulty experienced in outlying districts when a qualified person is unavailable to administer the oath of office for members of a council upon election. Town clerks and public servants are eligible to witness declarations under the Declarations and Attestations Act. However, the actual authority to take oaths is not contained in this Act. It is therefore proposed that the Local Government Act be amended to enable the oath or declaration to be made before any person before whom a statutory declaration may be made under the Declarations and Attestations Act, and thus preserve the dignity of the function of administering the oath and to overcome the difficulties that may exist in outlying areas.

Mr. Toms: I wonder what brought that one about.

Mr. NALDER: This is the situation as brought about apparently by—

Mr. Toms: Turkey Creek, or something.

Mr. NALDER: I do not know. We will find out about that. The next amendment, clause 6, has resulted from representations made regarding preparation costs for electoral rolls and the way in which they are affected because of the necessity for the electoral roll to be numbered and the fact that amendments to the lists consequent upon claims or objections necessitate a complete replacement of the numbers when compiling the roll. The provision of numbers after the rolls have been revised, has involved a number of councils in additional expense. The majority of the Local Government Association, the Country Shire Councils' Association, and the Country Town Councils' Association are in support of this proposal to delete the necessity for the numbering of the rolls.

Clause 7 seeks to amend section 117 of the Local Government Act to enable the preliminary checking in respect of absentee voting papers to be performed during the conduct of an election on polling day. Each candidate is to be notified of the time when this procedure will take place. The secrecy of the poll will not be affected in any way by this proposal, nor will the counting of votes prior to close of the poll take place. After the close of the poll, the counting of these votes will be able to be commenced without delay.

The amendment contained in clause 8 will amend section 174, which at present prohibits a member of a council from voting or taking part in a consideration or discussion at a meeting of a council in respect of a matter in which he has an interest. The amendment is designed to provide that when a member's interest is other than pecuniary, he will not be so prohibited.

Clause 9: At present in the case of a subdivision, a council may require a person creating the subdivision to assign a name to an area the subject of the proposed subdivision, or if a name is already assigned, to alter or change that name. The name assigned to an area or a street must be first approved by the Minister for Lands.

The claim has been made that land has been sold in areas under different names that that originally assigned to the area, and this has amounted to renaming the area. It is considered unsatisfactory that a person could accept a name agreed upon by the council, and the Minister for Lands at the time of a subdivision, and subsequently change the name to suit himself. This amendment is designed to en-

sure that the Minister for Lands must approve of any changes made subsequently in the names of areas or streets.

I now move on to clause 10, which seeks to amend section 297A which facilitates the closing of unwanted rights-of-way with the minimum cost. It is provided by the Act that Titles Office registration of the transactions under this particular section shall be without fee, but the Town Planning Board is required under its regulations to levy fees in connection with these closures. The amendment is designed to obviate this necessity.

The amendment in clause 11 has been requested by the Country Town Councils' Association for the appointment of deputy members to represent the constituent municipal councils in the absence of the ordinary member representing the council. It is considered that this amendment is desirable to ensure that the business of country and regional councils may proceed with adequate representations from constituent councils.

Clause 12: Authority has been sought by a council in the metropolitan area to order the owner or occupier of land, who is engaged in various activities such as woodyards, junkyards, etc., and who uses the land for the storage of materials, to fence the property and, by so screening the activity, to present an appearance in conformity with the general standards of the locality. On referring this proposal to the Local Government Association, the Shire Councils' Association, and the Country Town Councils' Association, it received their approval.

Provision is made for the right of appeal to the Minister against an order of the council under this section, and for the council to undertake the work and recover the cost from the owner of the land in the event of non-compliance with the order.

Clause 13 merely contains a machinery amendment of the heading of division 12 to incorporate the power sought in the new section 409A which follows.

Clause 14: By the inclusion of a new section, it is proposed to grant authority for a council to give notice to the owner or builder of an uncompleted building, requiring him to show cause within a specified period why the building should not be demolished or removed. Where good and sufficient reasons are not given, the council may order demolition and removal. Included in the amendment is a right of appeal to the Minister.

A similar provision was contained in the original uniform general building by-laws gazetted in 1961, but this was subsequently found to be *ultra vires* because no enabling power was contained in the Act and when the by-laws were revised last year, it was deleted. It was intended to rely on the provisions of sections 408 and 409. However, metropolitan councils consider that a by-law is essential to prevent unsatisfactory development in a district, and the proposal has met with the approval of the Building Advisory Committee. The uniform general building by-laws will be amended when this enabling power is included in the Act.

The amendment contained in clause 15 provides for the actions of a council, made in pursuance of a new section 410A, which follows, to be excluded from the application of section 410.

Clause 16 contains the new section 410A just referred to, which provides for pensioners and persons with insufficient means who are in occupation as owners of buildings upon whom orders are served under sections 408 and 409 of the Act, which relate to neglected and dilapidated buildings, to request a council to carry out the work on their behalf and to provide for the deferment of the payment of the cost of the work which becomes a charge upon the land. In the case of pensioners, provision is made for them to postpone the cost until death or the sale of the land on which the building stands, whichever occurs first. This proposal, which has the approval of the association, came from a metropolitan council.

Clause 17: The amendment in this clause proposes to amend section 532 and so exempt from rating land used solely for the storage of grain by Co-operative Bulk Handling Ltd. where the company agrees to contribute to the cost of roads in the vicinity of the installations as is required by the council. Included is the right of an appeal to the Minister by the company against the requirement of a council.

This proposal is considered to be equitable because, in the majority of cases, these installations are on railway property and are already exempt from rates by subsection (2) (a) of this section. It is claimed that there should be no distinction between this land which is on leased railway property and similar land used for the same purpose elsewhere.

Clause 18: The amendment contained in this clause amends section 533 in respect of valuations of leases, licenses, or concessions from the Crown which grant the right to take profit from the land. At present section 533 (3) (g) provides for a valuation of such concessions at 50c per acre, and it is proposed that this amount should be increased to $1—that means, $1 per acre.

Paragraph (g) is substituted by new paragraphs (g) and (h) thus making a distinction between cutting permits granted by the Forests Department and other concessions or licenses. Large areas of some municipalities are State forests and it is felt the permit holders should contribute more to the revenue of municipalities. The valuation figure has remained unchanged for many years.

New paragraphs (i) and (j) are also included under this section to provide for the separate valuation by a council of adjoining land held in the same ownership. Such separate valuation is not permissible where a building is so built that it is partly on two or more lots.

This amendment is made to resolve a doubt that lots valued on the unimproved values may be valued separately in a similar manner to lots which are valued on annual values. Section 533 (4) (g) provides that the lots in the one ownership when valued on the annual value shall be valued separately.

A further amendment to section 533 provides for the substitution, in subsection (7) for the words "the members of a Council and its officers and any valuer", the words "any valuer". This section refers to the right of entry upon ratable land for the purpose of making a valuation and, unless amended, conflicts with the provision of subsection (5) of this section, which states that no person other than a valuer may make a valuation.

Clause 19: The section that this clause proposes to amend deals with the conditions under which certain action may be brought against municipalities. Subsection (1) (c) requires particulars of a cause of action to be given within 21 days after it arises. This has been considered quite unrealistic as a victim of an accident might remain in hospital or even be unconscious for a longer period than this. By substituting for the 21 days' notice requirement, the words "as soon as practicable", this cause of complaint will be removed.

Clause 20: At present the Local Government Act does not specifically provide for Orders-in-Council to be amended, and therefore on the advice of Crown Law officers this clause has been included in order to remedy this deficiency. Subsection (2), which provides for the rectification of errors in Orders-in-Council, has been substituted by a new subsection to revoke orders, wholly or in part, and to otherwise vary the orders. A new subsection (2) (a) has been included to make the provision of subsection (2) applicable to orders made before or after the coming into operation of these amendments.

Clause 21: This is the final amendment in the Bill and is consequential on the amendment to section 58 contained in clause 6. It will delete from the eighth schedule—electoral roll—the column which is headed, "No." I commend the Bill to the House.

Debate adjourned until Tuesday, the 15th November, on motion by Mr. Toms.

RURAL AND INDUSTRIES BANK ACT AMENDMENT BILL

Council's Amendments

Amendments made by the Council now considered.

In Committee

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Bovell (Minister for Lands) in charge of the Bill.

The CHAIRMAN: The amendments made by the Council are as follows:—

No. 1.

Clause 2, page 2, lines 27 to 29—Delete paragraph (d) and substitute the following:—

(d) enter into contracts in respect of which tenders have been invited from the public, for the building on acquired land of not more than one hundred dwelling houses on the thirtieth day of June;

No. 2.

Clause 2, pages 2 and 3—Delete paragraph (g).

No. 3.

Clause 2, page 3, line 39—Delete the words "or part of a building".

No. 4.

Clause 2, page 4—Add the following definition:—

"tenders" means tenders based upon plans and specifications prepared by or for the Bank.

Mr. BOVELL: The Legislative Council has made four small amendments to the Rural and Industries Bank Act Amendment Bill and I am going to request the Committee to agree to them. Members will recall that the purpose of the measure was to allow the Rural and Industries Bank to build up to 80 to 100 houses per year, and it could acquire land for this purpose. The bank was to provide the sum of approximately $2,000,000 for the project as a rolling fund and the profit, if any, from the sale of the land which the bank had acquired would be added to this fund and, therefore, a special fund would be established which would provide money to build houses which, sometimes, the State Housing Commission could not build under the provisions of its Act.

The activities of the Rural and Industries Bank are not confined, of course, to this particular sphere of activity, but the finance the Housing Commission can provide for individual home builders has some restrictions.

I understand I need your permission, Mr. Chairman, for the amendments to be dealt with simultaneously.

The CHAIRMAN: I think it would be better to deal with them one at a time.

Mr. BOVELL: To a degree, the first two amendments are interwoven and I suggest that perhaps you might agree to the first two amendments which affect clause 2 to be taken together.

The CHAIRMAN: Yes.

Mr. BOVELL: The first amendment made by the Council proposes to delete paragraph (d) of clause 2 (b) which, at present, reads as follows:—

(d) build or cause to be built dwelling houses on any acquired land;

and in its place to insert the following:—

(d) enter into contracts in respect of which tenders have been invited from the public, for the building on acquired land of not more than one hundred dwelling houses in any year ending on the thirtieth day of June;

The second amendment proposes to delete paragraph (g) of clause 2 (b) which, at present, reads as follows:—

(g) enter into any agreement under which dwelling houses will be built on acquired land by or for the Commissioners either on their own behalf or in association with other persons, organisations or bodies; and

It will be seen that in proposed new paragraph (d) the wording is such as to permit the bank to enter into contracts in respect of which tenders have been invited from the public. The part which will really be deleted is, "either on their own behalf or in association with other persons, organisations and bodies." This will mean that where the Bill originally permitted the bank to enter into, say, an agreement with a building society—

Mr. Hawke: Mr. Chairman, could we deal with amendment No. 1 separately?

Mr. BOVELL: I asked the Chairman's permission to move the two together, because they are related.

The CHAIRMAN: I think they are associated.

Mr. Hawke: I do not think they are.

The CHAIRMAN: Very well, we will take them one at a time.

Mr. BOVELL: I move—

That amendment No. 1 made by the Council be agreed to.

I have already explained this reasonably fully and I believe this amendment will cover the position which is required to enable the bank to enter into contracts to allow houses to be built up to a total of 100 in any one year up to the 30th of June.

Mr. HAWKE: The Minister has correctly quoted the words which the Legislative Council wishes to delete in paragraph (d) and has also correctly quoted the words which the Legislative Council wishes to insert in lieu of those to be struck out. However, I am disappointed in the Minister's attitude; I think he should be opposed to the acceptance of this amendment from the Legislative Council. In order to assess the full importance of the situation, I think we have to refer to subclause (2) of this clause which reads—

(2) Without limiting the powers and authorities conferred on the Commissioners by subsection (1) of this section or any other provision of this Act, the Commissioners—

Let me interpolate here to say, "not on their own." To continue—

—may, with the approval of the Minister and the Treasurer, and upon such terms and conditions as the Commissioners think proper—

(d) build or cause to be built dwelling houses on any acquired land;

The Legislative Council wants to delete paragraph (d) and insert a proposition which would limit the extent of the bank's building and oblige it to enter into contracts in respect of which tenders have been invited from the public for the building of not more than 100 dwelling houses in a year.

I have no objection to the legislation providing that contracts shall be entered into and public tenders shall previously have been called, but I see no sense at all in limiting the bank to the building of only 100 dwelling houses a year.

One would think there was a surplus of houses in Western Australia today. We all know how acute the situation is, not only in the metropolitan area, but in the country towns as well. Every authority and organisation in a position to build dwelling houses should be encouraged to go ahead and do so rather than have restrictions placed on them. I could understand the Council's amendment to some extent, though not completely, if the Minister or the Treasurer did not have to approve the action of the bank in building dwelling houses.

I am prepared to trust the commissioners of the bank to act with good sense and judgment, particularly in view of the fact that the approval of the Minister and Treasurer must be obtained before the bank builds any houses at all. The Council's amendment is a restriction and discouragement to the commissioners of the bank who are anxious to contribute towards easing the housing shortage in Western Australia. I strongly oppose the amendment, and I hope the Minister will reconsider his attitude and will agree to oppose it. If he does not, I hope the majority of members will vote against the amendment.

Mr. BOVELL: It was never intended that the R. & I. Bank should become a second housing commission. This project was conceived by the Government to see whether the bank could assist further in this matter. I would like to quote from page 424

of *Hansard* No. 4, for 1966, when I said in introducing the Bill—

> At the present time it is difficult to have any firm opinion on the number of homes which will be built each year, but it is thought that a figure of between 80 and 100 is attainable.

That was the object of this legislation, and the Council has taken this matter into consideration in limiting the bank to 100 houses in every year.

Mr. Hawke: They have no vision and no feeling.

Mr. BOVELL: The matter can always be considered again by Parliament, and amendments made in due course. I cannot alter my opinion, and I hope the amendment will be agreed to.

Mr. JAMIESON: I strongly oppose the amendment. No restrictions are placed on other banking houses in the matter of housing loans, so why should a restriction be placed on the R. & I. Bank, which is having to suffer such severe competition from the other trading banks? The R. & I. Bank handled considerably more houses than 100 when it dealt with the sale of the houses in the Empire Games Village. If it has the funds, there is no reason why it should not provide money to create more homes. There is no question of its becoming a second housing commission.

The bank will be obtaining interest on the money it makes available, and at the same time it will be assisting the public. I see no reason why this restriction should be placed on the R. & I. Bank.

Mr. BOVELL: This proposal is completely different from the financing by private banks for the purpose of home building. This is to allow the R. & I. Bank to build houses—a privilege which is not afforded to other banks.

Mr. Jamieson: It is the same principle.

Mr. BOVELL: There is no comparison whatever. The same conditions do not apply. No Crown land is made available to private banks or other institutions for the purpose of building homes, whereas such land is made available to the R. & I. Bank for this purpose. The associated banks would welcome the opportunity to obtain the Crown land which is to be made available—in the Scaddan Pine plantation in the first instance—in order to build houses. This is a special consideration which is given to the R. & I. Bank. I do not think the member for Beeloo understands the position.

Mr. Jamieson: I understand it, but I do not think you do.

Mr. BOVELL: We have not made Crown land available to other banks, but we are making such land available to the R. & I. Bank for the purpose of home building.

Mr. HAWKE: The Minister is beating the air by dragging in the issue of Crown land. He should stick to the real issue which is the severe limitation that the amendment will impose on the R. & I. Bank. Cannot the Minister trust himself in this matter? It will not be the commissioners who will make the decision as to the number of houses to be built in any one year; it will be the Minister in consultation with the Treasurer. Is not the Minister prepared to trust himself, particularly when he will have the Treasurer to supervise his recommendation?

Mr. Bovell: I trust myself implicitly.

Mr. HAWKE: Has the person who moved the amendment in the Legislative Council had some private pow-wow with the Minister?

Mr. Bovell: No.

Mr. HAWKE: The Minister is letting himself down badly by accepting the amendment. There is no sense or feeling in the amendment, particularly as it relates to the large number of young people in Western Australia who need housing accommodation so urgently. If the bank is in a position to build, say, 100 or 150 houses, it will be a blessing to the young people, because they will be able to bring up their families in those houses. I am at a loss to know why anyone should limit the R. &. I. Bank to the building of not more than 100 houses in any one year.

Mr. W. HEGNEY: I oppose the amendment. The Minister is taking the line of least resistance.

Mr. Bovell: Who introduced the Bill? If we had not introduced it, there would have been no houses at all.

Mr. W. HEGNEY: The Minister did. Before the Bill was introduced, the members of Cabinet must have discussed the general principles of the measure, one of which is that the approval of the Minister and the Treasurer must be obtained for the commissioners to do certain things, such as build dwelling houses on any cleared land. The Government was satisfied that that was a sufficient direction to the Commissioners of the R. & I. Bank to go ahead as they thought fit with the approval of the Minister and the Treasurer.

If the Minister is prepared to accept this amendment, why was it not written into the Bill in the first place? The Government was satisfied the commissioners would go ahead and build houses with the approval of the Minister and the Treasurer. However, the Government did not say that the building of houses on acquired land would be limited to 100 in any financial year. I say some vested interest must be behind this. As the Leader of the Opposition said, I think the Minister has chickened out. The Minister should stick to the provisions that were in the Bill when it was endorsed by Cabinet.

I was astounded when the Minister made the statement that the Rural and Industries Bank would be a second housing commission. How can such a ridiculous statement emanate from a responsible Minister?

Mr. Bovell: I did not say it that way.

Mr. W. HEGNEY: The Minister said he did not want two housing commissions in the State.

Mr. Bovell: I said it was not intended to set up two housing commissions.

Mr. W. HEGNEY: The Minister, in his speech, said that 80 to 100 houses might be built, but it was not intended to restrict the number to 100. If the bank could finance 250 houses during one financial year, it would be empowered to go ahead as the Bill stands; but if this amendment is accepted, it will be hamstrung to the extent of building 100 houses in any one year. I am amazed that the Minister should feebly accept an amendment of this kind from the Legislative Council. I hope the Committee will not agree to the Minister's motion.

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

Ayes—20

Mr. Bovell	Mr. Marshall
Mr. Craig	Mr. Mitchell
Mr. Crommelin	Mr. Nalder
Mr. Dunn	Mr. Nimmo
Mr. Durack	Mr. O'Connor
Mr. Elliott	Mr. O'Neil
Mr. Gayfer	Mr. Runciman
Mr. Grayden	Mr. Rushton
Dr. Henn	Mr. Williams
Mr. Lewis	Mr. I. W. Manning
	(Teller)

Noes—15

Mr. Brady	Mr. Kelly
Mr. Davies	Mr. Moir
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Rhatigan
Mr. Hall	Mr. Sewell
Mr. Hawke	Mr. Tonkin
Mr. W. Hegney	Mr. May
Mr. Jamieson	*(Teller)*

Pairs

Ayes	Noes
Mr. Hart	Mr. Curran
Mr. Burt	Mr. Rowberry
Mr. Guthrie	Mr. Bickerton
Mr. Court	Mr. Graham
Mr. Brand	Mr. J. Hegney
Mr. Hutchinson	Mr. Toms

Question thus passed; the Council's amendment agreed to.

Mr. BOVELL: I move—

That amendment No. 2 made by the Council be agreed to.

I have previously explained that one of the principles contained in paragraph (g) has been incorporated in the amendment we have just agreed to. The bank can only carry on on its own behalf, whereas the Bill formerly allowed it to do so in association with other organisations and bodies. Activities in this direction will now be confined to the bank itself.

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

Mr. BOVELL: I move—

That amendment No. 3 made by the Council be agreed to.

It was intended that dwelling houses be built; and this amendment will confine the activities of the bank to the building of dwelling houses. It was not anticipated that flats, offices, and such buildings should be erected under the provisions of this Bill.

Mr. HAWKE: I am not opposing this amendment, but I think the Committee is entitled to some explanation as to why these words were included in the original Bill by the Government and brought to Parliament and recommended to us when the Bill was in this Chamber.

Mr. BOVELL: I feel that these words were included to allow the bank to proceed with its buildings. I do not think there was any intention on behalf of the Government to have buildings other than houses erected. Perhaps my scrutiny in regard to this matter was not as careful as it might have been.

Mr. Hawke: Apology accepted.

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

Mr. BOVELL: I move—

That amendment No. 4 made by the Council be agreed to.

I do not think the bank will be restricted in any way. This amendment came from a person in another place who has a wide experience of building and I think it is reasonable to accept this definition of "tenders."

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

Report

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

MOTOR VEHICLE (THIRD PARTY INSURANCE) ACT AMENDMENT BILL

Second Reading

MR. NALDER (Katanning—Minister for Agriculture) [10 p.m.]: I move—

That the Bill be now read a second time.

In moving the second reading of this Bill I would remind members that at the conclusion of the session last year I introduced to the second reading stage a Bill for an Act to amend the Motor Vehicle (Third Party) Insurance Act. This was done so that the Bill could be studied by people and organisations with the object of having them comment upon its provisions. No comment or criticism has been received from the many thousands of motor vehicle owners to which this Act applies, and despite the fact that the Bill was widely distributed, the only criticism received has been from the Royal Automobile Club and the Law Society, and I must interpolate here to say that not all the legal fraternity agree with the comments of the Law Society.

Dealing with the R.A.C., we find even here there is a conflict of opinion between the Law Society and the R.A.C. In effect, the R.A.C. opposes it on two counts; firstly that the removal of the present limitation of damages payable by the trust

in respect of passenger claims, and to provide for claims of spouse v. spouse, would result in increased premiums. If increased benefits are provided, it should be obvious to all concerned that increased premiums must be the result, and premiums will increase under any circumstances, whether the R.A.C. approves or otherwise.

The second point was that the third party claims tribunal was wrong in principle and not justified for any good reason. This is in line with the criticism of the Law Society and this can be dealt with when dealing with other criticism. I might mention that the Minister received, as a deputation from the R.A.C., the president and the secretary on the 28th June, 1966. After discussing the amendments to the Act for over an hour, a letter which was written prior to the deputation was handed to him. He has had no further representations from the R.A.C. since then.

The Law Society issued a circular as a result of a subcommittee of the Law Reform Committee in which it made certain observations opposing one part of the Bill only, and that is in regard to the proposed tribunal. It says the proposal is detrimental to public interests and inherently bad. It would be interesting to know on what basis it was deduced that something which, in effect, has never been tried is detrimental to public interests and inherently bad. Surely this is a matter of opinion which can only be proved after a fair trial. The society stated moreover, that it cannot be imagined that one tribunal can handle all the cases arising for decision.

Again the statement is made without any factual evidence, and a study of the number of cases which have been heard by the court over the last three years will, I am sure, prove that the necessity for more than one tribunal would not arise for many years to come. It stated that unless the tribunal proceeds on circuit, litigants in the country, and their legal advisers, will be denied the advantages they at present enjoy.

Again, an investigation will surely show that the number of cases heard by the court when it goes on circuit is few and far between and whilst, if necessary, the tribunal would go on circuit, provision is made for delegation of authority to a magistrate, whose decision is subject to appeal to the tribunal. The Law Society states that a tribunal of three members would probably work more slowly than a court of one judge.

There is little foundation for this statement. The evidence must be given, and whether it is to one person or three seems immaterial. It is envisaged that if the tribunal is established, much preliminary work such as admission of evidence in any dispute could be disposed of before the registrar or secretary of the tribunal beforehand, thus leaving only the points at issue to be heard by the tribunal. It is also considered that in this way the valuable time of professional witnesses—such as doctors—would be saved, in addition to reducing hearing time.

As will be explained later, the importance and objects of the proposed tribunal are simplicity in operation. The Law Society also claims that much of the tribunal's time would be occupied in reviewing the proposed pension scheme envisaged in the Bill. It is worth noting here that the society does not object to the provision of weekly payments; but it must be remembered the provisions of the Bill provide for a lump sum payment, or a pension and/or a lump sum and weekly payments for suspension and, if necessary, renewal of pensions, and undoubtedly the tribunal would be occupied for some of its time in dealing with these matters. This is one of the reasons for the tribunal and, whilst it is claimed by the Law Society that this could be achieved by a simple alteration of court rules, surely it is not suggested that the time of our Supreme Court judges should be used on such administrative matters.

The final point dealt with in the report dealing with uniformity states, "the tribunal would probably not increase uniformity in awards." The fact that it is a probability, apart from having no foundation, is hardly a valid reason for opposing the legislation. It is further alleged that uniformity would be lost if the tribunal exercised its power of delegation. It has already been mentioned on current figures that such delegation would be a rarity but, on the other hand, if the tribunal succeeded in the aim of some uniformity, not only magistrates but also the legal profession would at least have some precedent to follow.

This Bill is, in effect, similar to the one introduced last session, with the exception of some drafting alterations and improvements. The basic principles will remain the same; that is, to provide for the lifting of the present limit of liability to indemnify an injured person in respect of claims by passengers. Under the present Act the trust indemnity is $12,000 in respect of each passenger and the total limit is $120,000 in respect of all passengers. The principles will also provide, in certain instances, for spouse to sue spouse; to provide for a lump sum payment or a pension of lump sum and weekly payments, or simply weekly payments, to endeavour to obtain uniformity and simplicity; and, in evolving these principles, it was considered these could be best achieved by the setting up of a tribunal as provided for in the Bill.

I wish now to deal with the provisions in the Bill, clause by clause.

Clause 1: This clause deals with the title of the Act.

Clause 2: This provides for the commencement date of the amendments to be fixed by proclamation.

Clause 3: This provides for an amendment to the long title of the Act.

Clause 4: Section 3 is amended to provide for a definition of "tribunal."

Clause 5: This amends section 3P, which deals with accounting procedures of the trust, to enable the trust to put into effect periodical payments in lieu of a lump sum which may be ordered by a tribunal and for which provision is made in later clauses.

Clause 6: This clause amends section 6 by repealing subsections (2) and (3) which provide for the limitation of liability in respect of passengers' injuries. A new subsection (2) is included to ensure that the unlimited indemnity of the trust proposed by this Bill will not make the trust liable for increased amounts for accidents which occur prior to the commencement of this Act.

Clause 7: A new section 6A is inserted after section 6 to provide for spouse to sue spouse for injuries caused by the negligent use of a motor vehicle. Provision is also made to ensure that this liability is not incurred in respect of uninsured vehicles.

Clause 8: Similarly to clause 6, this new section 7, provides that spouse may not sue spouse in respect of injuries incurred in accidents prior to the commencement of this Act.

Clause 9: A new section 8A is inserted providing that in the event of a claim by an injured spouse against both the negligent spouse and another driver, the trust shall only be liable to indemnify the other driver for that portion of his liability attributable to his negligence where the vehicle driven by the negligent spouse is an uninsured vehicle within the meaning of the Act.

Clause 10: Section 16, which at present provides that action brought against the owner or driver of a motor vehicle or against the trust for damages in respect of death or bodily injury, to any person, caused by the use of that motor vehicle, shall be tried by a judge without a jury, is repealed. In its place a new section 16 is provided, and subsection (1) is inserted to provide for the establishment of a third party claims tribunal of three members to hear such actions.

Subsection (2) prescribes that the tribunal shall consist of three members appointed by the Governor of whom one shall be chairman and the others nominee members.

Subsection (3) provides that the chairman shall be a judge or if that is impracticable, a legal practitioner with judicial qualifications.

Subsections (4) and (5) provide for the formal standing of the court and an official seal.

Subsection (6) provides that the nominee members shall be appointed by the Minister and that one of these members shall have not during the last seven years, been engaged in the business of insurance.

Subsection (7) provides for the term of office of the chairman to be seven years.

Subsection (8) provides for the appointment by the Governor of a substitute member when the appointed member fails to take office.

Subsection (9): This section provides for the term of office of the nominee members.

Subsections (10) and (11): These subsections provide for the Governor to terminate appointments in certain circumstances and for the appointment of substitute nominee members in the event of an appointed nominee member ceasing to hold office before the expiration of the term.

Subsection (12): This subsection sets out the circumstances under which nominee members automatically cease to hold office.

Subsection (13) provides for the retiring age of the chairman and nominee members of the trust.

Subsection (14): This subsection provides for the appointment of deputy members of the tribunal and the ratification of decisions made by the tribunal when deputy members are included.

Subsection (15) provides for the remuneration of members of the tribunal.

Subsection (16) provides for leave of absence for members being granted by the Minister.

Subsection (17) provides that no member of the tribunal shall engage in any other occupation without the consent of the Minister.

Subsection (18): The decisions of the tribunal are determined by the majority except on questions of law when such questions are determined by the chairman.

Subsection (19): This subsection provides for the quorum of the meetings of the tribunal.

Clause 11: A new section 16A is inserted to provide for the appointment of a registrar and other officers and servants to be appointed under the Public Service Act.

Clause 12: At present the costs of courts are met from Treasury funds but as this is a special court involving a section of the community only—that is, the motorist—it is considered that the motorist should, through the premium, contribute a portion of the cost. This is provided in a new section 16B.

Clause 13: A new section 16C provides for the appointment of the registrar and his duties, and a deputy in the event of his absence.

Clause 14: A new section 16D is added providing for proceedings to be public unless the tribunal decides otherwise. This section also provides for the proceedings to be adjourned and for the assistance of persons with specialised knowledge

or skill who may be required to give evidence before the tribunal at the request of any party to the proceedings.

Clause 15: A new section 16E provides in subsections (1) and (2) that after the date to be proclaimed the tribunal shall have exclusive jurisdiction to hear all actions brought against an owner or driver or the trust for death or injury arising out of the use of a motor vehicle but action commenced prior to the date proclaimed shall be continued under the jurisdiction of the court in which such action was commenced.

In subsection (3) of section 16E there is provision that any party to an action who is not the driver or owner of a motor vehicle involved, may apply to a judge for an order that such issues in the action as he may direct shall be determined by a court and not by the tribunal.

Subsection (4): No action is maintainable against any members of the tribunal for decisions given in good faith.

Subsection (5): The tribunal will have the same powers as at present are exercised by the judge but, in addition may in certain cases award periodical payments in lieu of a lump sum or a lump sum and periodical payments. The subsection also provides that the tribunal may at any time review such periodical payments.

Clause 16: A new section 16F is added and subsections (1) and (2) provide that the tribunal may delegate all of its powers —other than those powers of delegation— to a magistrate of a local court and such magistrate shall have all the powers of a tribunal. This is intended to provide for the minor claims in remote country areas, but otherwise it is intended that the tribunal shall go on circuit in the country.

Subsection (3) provides that any party to an action heard by a magistrate in accordance with the previous subsection may appeal from the decision of a magistrate to the tribunal but otherwise the decision of the magistrate is final.

Subsection (4) provides that a report of proceedings before a magistrate shall be forwarded to the tribunal within 14 days.

Clause 17: This provides for the inclusion of a new section 16G under which it is provided that any decision of the tribunal as to quantum of damages assessed shall be final and not subject to review or appeal. Subject to this limitation it will be possible for any party dissatisfied with any decision of the tribunal in any action or proceedings to appeal to the Supreme Court in the manner and time prescribed by the rules of the court.

Clause 18: A new section 16H provides that any person who is party to an action may appear before the tribunal personally or be represented by a legal practitioner.

Clause 19: Section 29A is amended to provide for necessary alterations occasioned by the inclusion of the spouse versus spouse provisions in the new section 6A.

Clause 20: This clause empowers the Government to make regulations to give effect to the provisions and purposes of the Act.

Clause 21 makes provision for the necessary amendments consequent upon the introduction of decimal currency.

I would add that the Minister controlling this Act received a deputation from Mr. Lavan, Mr. Clarkson, and Mr. Dewar of the Law Society on the 12th September. The Minister, as a result of the deputation, advised them to submit in writing the points of view expressed, the Minister advising the deputation that such expressions of opinion would be conveyed to Cabinet for further consideration.

Two excerpts from the letter received by the Minister are as follows:—

> We explained to you that we hold only one basic objection to the Bill, that portion of the Bill intended to set up a Tribunal and, at your suggestion, I would like to set out briefly what that objection is.

These objections can be summed up in a further paragraph which reads—

> The Society's real objection to the proposed Tribunal is that its establishment would attack the very form of government to which we all subscribe, and that its apparent advantage to which you refer only serves to conceal its dangers.

Mr. Tonkin: Of course, that argument would not mean a thing to the Government would it?

Mr. NALDER: These comments were duly conveyed to Cabinet which, after deliberation, agreed to continue with the Bill in its present form. I would like to advise members that the Minister has received representations, both written and oral, from members of the legal fraternity for appointment to the position of chairman and also membership of the tribunal.

Dealing with the setting up of the tribunal, it is admitted that this is something new as far as implementation goes in third party insurance, but the concept of tribunals generally is not new as the advocacy of the following prominent people will show.

Mr. Eric Edwards of the Law School at the University of Western Australia in a paper given in regard to compensation for victims of crimes of violence said this—

> The introduction of any scheme would involve at least one further issue— the tribunal to determine the claims. Determination of claims could be left to the law courts or a special independent tribunal could be set up. In England and New Zealand, the latter had been preferred, largely because of the delay that could be involved in using the courts and because proceed-

ings before a special tribunal could be made less formal and possibly less costly.

Any tribunal would be fulfilling a judicial function and would need legally-trained members. New Zealand had a Crimes Compensation Tribunal with a chairman who had at least seven years' practice as a barrister or solicitor and two other members who were not required to have any special qualifications.

In England, the Victims of Crimes of Violence Compensation Board would consist of a chairman and five members, all legally qualified and any three of whom would constitute a quorum to deal with claims.

Mr. Justice Heron, the Chief Justice of New South Wales is reported to have stated, *inter alia:* "The Law must change; what was satisfactory yesterday may not be satisfactory tomorrow." He followed up with a statement that road accident victims may eventually have their claims determined by administrative tribunals. It is also interesting to note the provisions of the Land and Valuation Court of New South Wales which provides that the finding of the court in regard to quantum is not subject to appeal.

Mr. Davies: Where does it say that; how long ago?

Mr. NALDER: I have not the date of the quotation, but it can be located and I will ensure that the honourable member is supplied with the information. Mr. Justice L. Mitchell, in an address given on the 11th November, 1965, had this to say—

Except for this overriding control which is only rarely invoked, the policy of the legislation in most, if not all, of the States is to leave the determination of objections to, or appeals from, valuations to a Court, Board or other tribunal having or capable of developing specialised qualifications. This is a recognition of the fact that most problems of valuation are not pure questions of law nor pure questions of fact or calculation; they entail in the main what the lawyers call "questions of mixed law and fact" and it cannot be denied that a specialised tribunal is the best fitted to decide such questions.

Further on in the address, he had this to say—

One of the main objects of the Valuation of Land Act was to get consistent values throughout the State, and to have one central valuing authority; but this aim has been defeated by reason of the fact that different Judges sit from time to time in different districts. The result has followed that owing to the difference of view which they have taken with regard to particular matters the same standard has not been adopted in arriving at their determinations.

Sir George Fuller praised the proposal to constitute a single court and said—

One great advantage that will arise from the passing of this bill will be in connection with land valuation. At the present time that matter comes before different Judges who take different views, and the valuations are not consistent. When the bill is in operation it is probable that the valuations will be consistent, seeing that they will all be dealt with by one Tribunal.

In the Law Society's letter of the 15th September mention is made that many tribunals are established for a variety of purposes and that control of these tribunals by the ordinary courts of law has been partly, and in some cases completely, removed. From this I understand that there would be instances of tribunals assessing claims of financially-injured citizens without the right of appeal in regard to quantum.

I would like to make some reference to an article which appeared in the *Daily News* of the 25th October, 1966, headed, "Lawyers Criticise Road Damages Plan." It is stated in this article that some lawyers describe it as an attempt to save money for the Motor Vehicle Insurance Trust by cutting down the size of awards to accident victims. This is very loose thinking on the part of those lawyers, as it is conceivable that awards may even increase, but with that the trust is not concerned. Its main concern is uniformity, whether the damages be high or low. The trust is concerned with the administration only of the Act, and as such, is entrusted with money subscribed by the motoring public to satisfy claims and see that the money is disbursed in the proper manner.

The statement in the article which said that they—I presume the lawyers—suspect that members of the three-man tribunal would be officers appointed from the Motor Vehicle Insurance Trust is also unjust and untrue. It shows a distinct lack of knowledge of the situation and is a reflection on the integrity of officers of the trust, the Minister, and the Government.

Western Australia has led the field in many ways in respect of third party motor vehicle insurance. I commend this Bill to the House so that we can keep it that way.

Debate adjourned, on motion by Mr. Hawke (Leader of the Opposition).

MOTOR VEHICLE (THIRD PARTY INSURANCE) ACT AMENDMENT BILL

Message: Appropriations

Message from the Governor received and read recommending appropriations for the purposes of the Bill.

House adjourned at 10.23 p.m.