

reason why it should not apply to blacks. So I do not think it would provide any great difficulty.

Once we started to educate these children in the social way of living we would accept them in our homes. My experience is that it is not the colour which worries a white person, if he becomes friendly with a native, but it is the doubt as to whether the native will conduct himself in a normal way. But if natives are trained in the normal way, they will conduct themselves in that way. I have met a number of natives who have been trained up to a standard and in many instances they are far better than some of the white natives I have tried to assist at the State Housing Commission.

With those reservations I support the measure. I hope the Minister will amend the Bill to ease the protection and to grant natives the right to indicate their willingness to allow their children to attend institutions to be educated in the way we want them to be educated, rather than compel them to adopt this course.

Mr. Brand: How long do you think this programme will have to go on before we begin to achieve some worth-while result?

Mr. LAPHAM: If we took the children I think we would achieve something in a very short time.

Mr. Brand: What do you mean by a very short time?

Mr. LAPHAM: Within the life of a child. For instance, if a child went into an institution at the age of four or five years, and we carried it through our social structure and educated it, if it was a boy, to take a trade or a profession—if he was capable of doing it—or, if it was a girl, introduce her to something that could be used to her benefit in the future, such as nursing, that would achieve results. I might add that most of them have proved to be very competent at nursing.

In those circumstances, when they were raised as a group, they could then marry within that group. That is one of the problems that confronts natives. They could be retained in a group; and, within that group, they could marry and, as a result, could raise their children in the same way as they were brought up. By that means the full benefit of bringing them up in the proper manner would be felt.

Mr. Brand: You are not suggesting that if a native did not possess citizenship rights he would be unable to get a job, are you?

Mr. LAPHAM: Not at all. I am merely stating that in such circumstances it is a shame to deprive a native of citizenship rights. I am depriving him of the right to full citizenship rights when, instead, I should be waiving the restrictive legislation that is at present on the statute book.

After all is said and done, his forebears were in Australia long before mine, and he has more right to citizenship rights than I have.

Therefore, I repeat, that in the circumstances I would rather see restrictive legislation relating to natives repealed so as to permit all of them to become citizens and, further, to grant them assistance in order to effect other social legislation for their welfare. By that means I think we would accomplish something. I support the second reading.

On motion by the Hon. Sir Ross McLarty, debate adjourned.

House adjourned at 10.22 p.m.

Legislative Council

Wednesday, the 17th September, 1958.

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

QUESTIONS ON NOTICE.**OVERSEAS TRADE MISSION.**

Extension of Inducements to Australian Firms.

1. The Hon. A. F. GRIFFITH asked the Minister for Railways:

(1) Was the Premier correctly reported in the issue of "The West Australian" of the 16th September, under the heading "W.A. makes same offer to all firms", wherein the Premier is reported to have said that West Australian or Eastern States interests which want to establish or expand industry in W.A. will be offered the same inducements that the trade mission, headed by Deputy Premier Tonkin, offered overseas industrialists?

(2) What are the details which have been offered to overseas industrialists by the Deputy Premier?

(3) Will the same reservations applying to overseas industrialists as indicated apply to Western Australian or Eastern States interests?

The MINISTER replied:

(1) Yes.

(2) The details have been published in our local newspapers. They are—

(a) Establishment Costs. A free of interest loan for a period of up to ten years, or a cash grant to assist any company to meet the cost of establishing an industry in Western Australia.

The maximum amount to be made available by the Government under this heading to be 20 per cent. of the total estimated cost of establishment, with a limit in any event of £250,000 as the amount to be made available by the Government in any one instance.

The Government to make available the total amount of any such free of interest loan or cash grant at the rate of £50,000 a year.

(b) The Government would be prepared to make finance available by way of guaranteed bank overdraft in approved cases. This would be additional to the assistance referred to in paragraph (a) above.

(c) The provision of free factory sites.

(d) the provision of housing on a rental basis for employees of any industry.

(e) The provision of such services as power, water, sewerage, roads and railways to the boundary of the site of any new industry.

(3) This question is not understood.

UNIFORM GENERAL BUILDING BY-LAWS.

Making of Regulations under Municipal Corporations Act.

2. The Hon. G. C. MacKINNON asked the Minister for Railways:

Will the Minister quote the paragraph of Subsection (1) of Section 338 of the Municipal Corporations Act, 1908-1956, which authorises the making of Section 31 of the uniform general building regulations?

The MINISTER replied:

Although the matter is open to some doubt it is believed that paragraph (m) of Subsection (1) of Section 338 authorises the making of regulations as set out in Section 31 of the uniform general building regulations. This matter is under consideration by the Crown Law Department.

VOLUNTEER FIRE BRIGADES.

Allocation of Government Financial Assistance.

3. The Hon. A. F. GRIFFITH asked the Minister for Railways:

(1) What amount of money does the Government pay to the volunteer fire brigade organisation?

(2) Are there any conditions to the payment?

(3) Is any money expended by the Government on behalf of the volunteer fire brigade organisation?

The MINISTER replied:

(1) The Government does not make payments direct to volunteer fire brigades, but as required by Section 37 (2) of the Fire Brigades Act, 1942-51, it contributes to the W.A. Fire Brigades Board two-ninths of the expenditure incurred in administering fire brigades established under the Act. The Fire Brigades Board provides volunteer fire brigades with the required buildings, plant and service equipment, uniforms, etc., meets general upkeep, and pays to each volunteer fire brigade an honorarium of £50 annually in appreciation of services rendered. The board also meets half of the cost of competition hose and ladder stands. Competition ladders are supplied free to volunteer fire brigades. Inter-district competitions are conducted over the long weekend in January of each year, and the board recoups volunteer fire brigades on the basis of rail fares for travel, as is the case for the annual demonstration when rail freight is also paid for demonstration reel and gear. Those brigades which compete at Eastern States demonstrations receive small subsidy payment up to a maximum of £50. The board also makes an annual grant—last year £1,000—to the Volunteer Firemen's Association towards the costs associated with the conducting of annual demonstrations, etc. There are 40 volunteer fire brigades es-

tablished under the Fire Brigades Act and the total amount of money paid by the board varies each year. Some time would be required to extract actual amounts.

(2) No.

(3) Answered by No. (1).

UNIFORM GENERAL BUILDING BY-LAWS.

Application of Regulation No. 420.

4. The Hon. G. C. MacKINNON asked the Minister for Railways:

In connection with Regulation No. 420 of the uniform general building regulations, is it intended that—

(1) Conditions i, ii, iii, and iv of 420 (b) should apply to 420 (a)?

(2) If it is intended that they should apply, is it considered that the regulation is correctly framed?

The MINISTER replied:

(1) The conditions i, ii, iii and iv of 420 (b) should apply to 420 (a).

(2) The regulation is considered not to be correctly framed, and steps are being taken to correct this.

MARKET GARDEN, KALGOORLIE.

Drainage of Site.

5. The Hon. J. M. A. CUNNINGHAM asked the Minister for Railways:

Will he advise whether—

(a) Con Riccordello, market gardener of Somerville, Kalgoorlie, has obtained permission to cut drains on the abattoirs reserve adjoining the main Coolgardie road and abutting upon lot 41 garden area owned by Alfred Frank Cugley of Somerville, for the purpose of draining storm water on to the verge of the main road to fill a private dam owned by Riccordello?

(b) Any application has been made in recent months for the leasing of this abattoirs reserve?

(c) Any portion of this abattoirs reserve is available for leasing under any conditions for any purpose by private persons?

The MINISTER replied:

(a) Neither the Abattoirs Board nor the Main Roads Department has granted permission to cut drains on the abattoirs reserve or use the verge of the main road to fill a private dam.

(b) Not by the Abattoirs Board.

(c) The Abattoirs Board would not lease any portion of the abattoirs reserve.

BETTING CONTROL ACT.

Disallowance of Regulation No. 11C.

THE HON. J. MURRAY (South-West) [4.40]: I move—

That Regulation No. 11C made under the Betting Control Act, 1954-1957, as published in the "Government

Gazette" on the 25th August, 1958, and laid on the Table of the House on the 2nd September, 1958, be and is hereby disallowed.

For the benefit of hon. members who have not acquainted themselves with what this regulation means, I point out that it is a very small amendment and only grants the chairman of the board the provisions of long service leave as laid down by the Act. It probably seems trivial to move for the disallowance of this regulation, and I agree with the view of other hon. members on that score. However, this is the only method by which a member can obtain an opportunity to debate this matter over a wide field. We could wait until a Bill was introduced which dealt with the Betting Control Board, but that would delay matters, and I feel certain that this is the best way in which to correct some statements and possible errors which I may have made.

I do this more in sorrow than in anger. The criticism I levelled earlier on this question was on account of political appointments; particularly in regard to one and one only. I criticised the principle of Government policy in making political appointments of this nature year in and year out.

The chairmanship of the Betting Control Board appeared to me to be—and still does—one of the most glaring examples of a political appointment that we have had over a period of years. Therefore, I used it to illustrate my point. In the brief presented by the Minister, and supplied by someone else, there were many points raised that were not in relation to the broader sense of political appointments; they were confined purely and simply to certain remarks of mine made in connection with the Betting Control Board and the management thereof.

I will go through these points which require correction, whether from my point of view or on account of inaccuracies in the reply given by the Minister. Firstly, I want to make it clear that at no time have I ever suggested that the Betting Control Board as set up under the Betting Control Act, 1954, was not an improvement on the situation as it was prior to that year. I do not think anybody—even narrow-minded people outside Parliament or those inside—would feel that some improvement has not been made. I have always claimed that it was not the complete answer, but the suggestion underlying the Minister's reply leads me to consider it as such; that I had cast some doubt on whether legalised off-course book-making is an improvement or otherwise or the old state of affairs. I do not think anybody wants to go back to that situation.

The first point I want to clear up—because it has some bearing on my remarks at a later stage—is that when I made

my speech I said we had amended the relevant Act "last session." I should have said the session before last. That is a little mistake made there.

By that amendment we placed the responsibility on the Commissioner of Stamps for adjudicating on whether a bet had been made or not. I still hold that view. I went on to remark that evasive methods were being used, despite the fact that it was thought the relevant section of the Act had been tightened up. In the Minister's brief, he suggested—not in a very kindly way—that if I knew of these evasive methods or that malpractices were going on, it was my duty to inform the board. That is what I was told two years ago! I was asked to tell the board about the people who were breaking the law.

I said some two years ago, and repeat it now, that I feel no responsibility to point out the individuals who are breaking the law. When I spoke previously, I pointed out to the House the method that was being used; and that method is still the same.

Seeing the Minister—or those who compiled his brief—is in some doubt as to what is going on, I will tell him where to look, just as I did then. Owners who want to place a commission on their horses, still go to bookmakers who are licensed to operate on the course. They are not licensed as off-course operators. Sometimes the owners go to them in their private homes, in the street or elsewhere. Sometimes they meet them at the gates of the various courses. Owners are still saying, "Here is £50 or £100; I want you to get it on my horse." Immediately the money is accepted at a place which is not licensed, the bookmaker has committed a breach of the Act and is therefore subject to certain action by the Betting Control Board, despite the Betting Control Board saying it does not prosecute; it has plenty of power without prosecuting.

What happens to the money placed in that manner? It does not go through the bookmaker's own betting sheets at all, unless he feels it might be good money. In this event he puts it through is own books, and stamp tax is paid on it once only. But if he thinks—and this occurs in many cases—that it is what is termed "bad money", he places it with another bookmaker, licensed on the same course, and there is still only one tax paid on it. But, by the rules, two separate bets are made when money goes from one bookmaker to another. People involved in such a transaction commit two offences against the Act. But still this sort of thing goes on. That is all I said last night, and I did not stress it very severely when I spoke.

The next point—and I am very concerned about it—is that the Minister in his brief referred to the fact that I spoke in

bitterness. Those are his words, that I spoke "in bitterness", and he suggested that my remarks were probably made by way of revenge because I had had no success when I had previously made complaints against the board. Revenge against whom? That is what I want to know. Also, where was my non-success? Is it because I made complaints about malpractices which are still operating today? When I have pointed something out, the board allows the discredited person to continue, but the malpractice has been discontinued. If that is non-success, I do not know, but that is the position today.

I do not hesitate to say that the credit for stopping the malpractices does not lie with the Betting Control Board half as much as it does with the association of off-course bookmakers. Once it became apparent to the association that certain malpractices were obvious to the man in the street, it knew that it, as an association had far too much at stake to take the risk of allowing any of its members to continue carrying on in the manner that they were. So, whilst today we have reached the stage that breaches are few and far between—I pointed out one that I knew was still going on—the credit for this state of affairs does not lie so much with the board or the Police Force, as with the men operating under the Act.

I continued and came to point No. 3—which I now wish to clarify—when I compared this political appointment with the position of high ranking civil servants. I made the comparison on the financial aspect. The Minister, in his brief, said that I was again calling on my imagination—I think those are the words he used—when I suggested that the Government could not justify this political appointment in the eyes of the civil service. The Minister said that in his inquiries no high civil servant was envious of the position of the Betting Control Board chairman. I believe that is true; and I never suggested it was not. I would be surprised if any man mentioned by me—purely and simply by way of comparison of a ridiculous situation—would be envious of this man.

These men have a different ideal altogether. They have been brought up to consider their jobs in the service as being for the benefit of Western Australia and, perhaps, Australia as a whole. There is much more to their jobs than just the stipend. But in keeping with the rest of the reply, I would say that the Government—this what I tried to stress—in making this political appointment, and putting the appointee on a salary comparable to those received by highly placed civil servants, handed out a gratuitous insult to the civil servants.

Again the Minister suggested that apart from the job this man is doing, we should take into consideration the fact that

the turnover is £26,000,000 a year. That amount of money comes in and goes out without assistance from Mr. Styants or any of his henchmen on the board. Even if highest-ranking advertisers or go-getters were employed, the Betting Control Board could not do one thing to improve that position.

The power lies only in the hands of the Government not to allow this practically untouched field of taxation to continue. At the moment, the only real defeat I have suffered in my questioning, and the like, of betting control over a period of years has been in regard to this sum of £26,000,000. That was the only defeat I suffered and that was because I could not convince the Government that there was practically an untouched field of revenue awaiting it. Only a very small portion of the £26,000,000 goes into the Treasury.

I mention in passing, because I think it is important, that we have men on the State's payroll in connection with State enterprise. When we consider the job they are doing in an effort not only to make ends meet for the Government, but to get a fair return for State enterprise, we realise that again their salaries compare badly with the one in question.

Take the Conservator of Forests, whom some people thought I criticised in my speech the other evening. I was not criticising the Conservator; I was criticising the Government and its policy in relation to certain land settlement. But the Conservator of Forests gets only £3,750 per annum, and he manages the whole of the State forests in Western Australia. He has a very responsible position. The general manager of the State Building Supplies, who also has a responsible position in trying to make ends meet on behalf of the Treasurer, gets only £3,250 per annum. He has a very big job; the State Sawmills alone, without taking the State Brickyards into account, cut one-third of the total sawn timber in Western Australia. For a responsible job like that he receives only £3,250 per annum, while the chairman of the Betting Control Board gets £3,000.

In defence of this appointment, and the payment of such a salary, it was suggested that there was no continuity of employment—no guarantee of employment—and that that should be taken into consideration when the salary was being considered. In January of this year, some eight months before he reached the normal retiring age, Mr. Styants was appointed chairman for three years. Under this regulation, which I am moving to have disallowed, the Governor-in-Council can continue his employment so long as he is capable of carrying out his job. If one refers to the Act one will see that its life is limited to 1960; and so some people could say that there is no guarantee of continuity of employment.

But does anybody suggest that this Act is not likely to be continued beyond 1960? I do not. If the Act expired in 1960, 1965 or 1970, some other form of off-course betting would be established; and I venture to suggest that whoever was appointed as chairman of the Betting Control Board would be looked after in future years. It was also said that the chairman does not get superannuation or long-service leave. A member of Parliament, as Mr. Styants was, knows that as soon as he is defeated, or he leaves his job as a member he is on superannuation, small though it might be. By this regulation, which was tabled in the House before the Minister read his brief, the chairman is granted long-service leave.

Point No. 4 wants tidying up, too. The Minister suggested—and I notice he only suggested—that I might not believe his statement when he said that Mr. Styants had not been promised the chairmanship when he was given the job of deputy chairman in 1956.

The Hon. H. C. Strickland: Nevertheless it is true, whether you believe it or not.

The Hon. J. MURRAY: The Minister said that I would not believe it. I believe it could be true, but the Minister used the word "promised." I did not use that word; I just said that Mr. Styants was appointed as deputy chairman on that understanding. There is a lot of difference between an understanding and a promise, because a lot of water can flow under the bridge in 18 months; lots of things could have happened which would have frustrated any ideas Mr. Styants might have had of being appointed to the position of chairman. But I would say this to the Government and to the Minister: If there was no understanding in 1956, when Mr. Styants took over the job of Deputy Chairman, it is a worse political appointment than I thought it was.

He was appointed as deputy chairman on a salary of £2,300 per annum, to a board which had ceased to be able to find work for a full-time deputy chairman. That was proved when he became chairman; immediately he took over that position the deputy chairman's job was put into the part-time category. So, if there was no understanding, in my view and in the view of lots of other people, it was a worse political appointment than I thought.

The Hon. G. Bennetts: When Mr. Styants took over the job, the board was a going concern.

The Hon. J. MURRAY: Exactly; the board was already functioning.

The Hon. G. Bennetts: That is so.

The Hon. J. MURRAY: Shops were established everywhere.

The Hon. G. Bennetts: Then they did not want a deputy.

The Hon. J. MURRAY: I now come to the main reason for taking umbrage at the way the Minister's brief was framed. His brief states that no amendments have been made to the Betting Control Act since its inception, except those which made provision for alterations to the scale of the turn-over tax. As I pointed out earlier, when I referred to amendments, I claimed that they were made last session, whereas I should have said they were made the session before. But the fact that I made that small error does not affect the fact that the Act was amended in 1956 along the lines I mentioned.

I claim that a responsibility was thrown on the Commissioner of Stamps to decide whether or not a bet had been made. But the chairman of the Betting Control Board did not think the Act had been amended! Although it may weary hon. members I would like to read what the word "Commissioner" meant in the original Act.

The Hon. G. E. Jeffery: You have been doing that for the last half-hour.

The Hon. J. MURRAY: I will continue to do it; I like doing it. It states that the commissioner means the person occupying the office of Commissioner of Stamps under the Stamp Act, 1922.

Turning to Clause 14 of the original Bill, that provision was repealed and re-enacted in 1956. It provided that the Commissioner shall have an absolute discretion to decide what is and what is not a bet made by a bookmaker on his own behalf in the capacity of a backer, but not in the capacity of a bookmaker. That relates to off-course turnover.

With regard to on-course turnover, it also provided that the Commissioner shall have absolute discretion to decide what is and what is not a bet made by a bookmaker on his own behalf in the capacity of a backer, but not in the capacity of a bookmaker. I do not know whether by reading this I have convinced the Minister. It will take much to convince the chairman of the Betting Control Board that the Act has been amended considerably since its introduction. The provision I am referring to was inserted into the Act mainly at the behest of this House to ensure that certain malpractices were no longer continued; it had, in the main, the effect of wiping out, almost completely but not altogether, those malpractices.

For the benefit of the hon. Mr. Jeffery, I might say I have now almost reached the conclusion of my speech. I shall refer to another reflection concerning errors in my statement. I claimed in my speech, brief as it was, that Mr. Styants, before his appointment as chairman, had no knowledge of bookmaking, betting and other matters connected with racing, except for the knowledge gained in a brief trip to Tasmania, and possibly New Zealand. I used the word "possibly," and I have since been corrected. It was pointed out to me

that he did not visit New Zealand but South Australia. This does not alter the fact that his visit was a brief one. Both Mr. Styants and his fellow traveller made a brief trip.

I should have had more sense than to have thought that either of those gentlemen visited New Zealand to learn about off-course betting. Had they gone to that country they would have been able to bring back information to convince people that there was a much better way to establish off-course betting in Western Australia, than the way in which it is now carried on to enable people who are entitled in some degree to derive revenue from off-course betting operations to get it. Some government in the future will no doubt have to reconsider the position of off-course betting in this State and decide whether or not such betting will be better handled by off-course totalisators.

Everyone connected with betting gets what I call his just pound of flesh under the totalisator system. The Government gets its share, the racing fraternity gets its share, and the punter sometimes gets his share.

The Hon. H. C. Strickland: And so does the totalisator company.

The Hon. J. MURRAY: But the profits are divided equally among the people who are entitled to them, and not merely among a few privileged parties as under the present system. And they are privileged. In his quiet way the Minister for Railways took me to task, not only concerning my misstatement of the visit of the Chairman to New Zealand, but also concerning the phrase I used, namely, "they toil not neither do they spin."

I made that remark not a fortnight or a week ago, but two years ago. It was clear then, as it is now clear, in my mind, that I was not referring to the employees or clerks of the Betting Control Board. It is the responsibility of the chairman of the Betting Control Board to see that those employees and clerks earn their salaries. One can go into many Government offices at certain times of the day and assert that some of the officers are not, in one's opinion, earning their salaries. I was referring to the Betting Control Board, set up under the Act of 1954, and which came into active operation in 1955.

In 1956 every town of any size in this State contained off-course betting premises run by licensed s.p. bookmakers. From then onwards the functions of the Betting Control Board became stereotyped. Its functions involve the re-issuing of licences on application, consideration of licences handed in, and whether they shall be issued to other parties. The main work of putting the machinery of this Act into operation had been completed in 1956. Therefore in my view I was quite correct in saying that the board toils not, neither does it spin. I still claim that there is

no person holding a greater sinecure, given as a political appointment, than the present chairman of the board.

Had the position of chairman been advertised, either widely in the Press or among the Public Service, despite what the Minister has said to the effect that no-one was envious of the position, heaps of applications would have been received, and the applicants would be satisfied with a much lower salary than is paid at present to the chairman. Applications would have been received from men possessing administrative ability, which is the chief requirement for the position.

Before resuming my seat I shall give one more comparison with regard to salaries. The Superintendent of Dairying in Western Australia and supervisor of Wokalup Research Station (Mr. Maurice Cullity), is a man of inestimable value to this State and the industry. His salary range is £2,450 to £2,510, his present salary being £2,510.

The Hon. L. A. Logan: He is in about our class.

The Hon. J. MURRAY: And people want to defend this salary of £3,000 for a sinecure job; for a man who toils not, neither does he spin!

THE HON. G. E. JEFFERY (Suburban) [5.23]: In rising to oppose the motion I do not intend to speak in any anger either—only in sorrow. I am very sorry that the hon. member's usual sunny disposition is becoming clouded over by the apparent persistent desire to do battle with the chairman of the Betting Control Board. It is not my intention to go through the long and tedious history of this board since it came into existence, but it does appear to me that this is becoming a vendetta.

I feel very sorry for the chairman of the board who has not the privilege of Parliament; who is placed somewhat in the position of receiving an anonymous letter but not being able to do much about it. The position of the Betting Control Board can, I think, be borne out by the fact that the predecessor of the present occupant was on £3,560 a year. He also had the assistance of a full-time deputy chairman whose salary was £2,460 a year, which gave a combined salary of £6,020 per annum, that amount, of course, being borne by the State.

At that time there did not appear to be any great complaint about the salary range that was paid. Today we have the chairman's salary being reduced from £3,560 to the sum of £3,000. The deputy chairman who is on a part-time basis receives £364. One, therefore, can only draw the conclusion, having heard no complaint in the past about the salary paid, that the hon. member's attempt to take away what Regulation 11 (c) gives the chairman of the board—which is ten days' annual leave

and the benefit of long-service leave—is based on personalities and not on principles.

The total cost to the State now is £3,364, compared with the £6,020 I mentioned previously. I think any servant of the State, whether the chairman of the betting board or the youngest office boy, is entitled to ten days' annual holidays, and has the benefit of the public holidays as they fall due. Another feature is that the previous chairman—the Commissioner of Police who had been seconded to the position—received one month's annual leave plus the benefits of long-service leave together with all the public holidays. This gave him approximately six weeks' annual leave and I think the chairman of the Betting Control Board is just as entitled to long-service leave as any other civil servant; and whether he is politically appointed is of no great concern. He is carrying out his duties with honour to himself, and he has a great responsibility. As the salary was warranted in the past, I can only conclude an attack is now being made on an ex-member of Parliament, Mr. Styants, on a personal basis. As I have already said, the job today is worth only £3,000, and this regulation will give him annual holidays of 10 days and the benefit of long service leave, compared with his predecessor who received £3,560 and had one month's annual leave, all public holidays, and the benefit of long service leave.

I think it is strange that there is so much complaint about the treatment of the present chairman of the board and it ill-behoves any Parliament to criticise a man for doing what he has done. I consider his efforts will stand comparison with his predecessor because I think he did a good job. Therefore I believe the House should vote against the motion.

THE HON. G. BENNETTS (South-East) [5.25]: I am amazed at the hon. Mr. Murray's attitude here today relating to the chairman of the Betting Control Board. I do not think that the Government could have made a better decision than it has. Mr. Styants is a man of high esteem and is recognised through the Goldfields as such. I have known him for many years and I believe that we would not be able to find a more honest and straightforward man, than Mr. Styants. With regard to the allegation that Mr. Styants was appointed by the Government, I believe that many members of Parliament have been given jobs by respective Governments when in control, although I do not know of any particular case.

I maintain that if a position is vacant and an ex-member of Parliament, or ex-Minister, is an honest and capable man he should be considered by the Government for the position. From what I have heard from men interested in betting, Mr.

Styants has a great knowledge of betting, as also had the other hon. member who accompanied him in his investigations prior to the introduction of this Bill. They did a lot of research, not only verbally, but by means of correspondence and they spent many long months studying that legislation. Of course when a Bill is first introduced there are loopholes—as in any legislation when first introduced—but this is overcome by amendments.

At the outset, I do not agree with the way some of these licences were issued. I was very hostile and I am of the opinion that the board never made the decisions in the first place, but was influenced by one of our bookmakers.

An hon. member: The Minister is sweating on this.

The Hon. G. BENNETTS: I am pleased to see that we have a man of Mr. Styants' calibre on the board today. I do not know what the Government will do when his three years' term expires, but he is entitled to holiday pay and superannuation. I oppose the motion.

THE HON. H. C. STRICKLAND (Minister for Railways—North) [5.30]: I am surprised at the hon member taking this opportunity to make use of the privilege of Parliament to attack somebody outside of Parliament. I was surprised, also, when he originally commenced his vendetta, as it has now been termed, against the chairman of the Betting Control Board, with regard to his appointment. I cannot recall the hon. member having queried the salary of the original chairman of that board or having given voice to any views in relation to the £3,500 per year or the £3,000 odd for the deputy; but because he has some personal feeling in this instance, apparently, he now criticises the appointment, as chairman of that board, of a man who has been proved, by being elected as a councillor of the City of Perth—and as a member of Parliament on every occasion when he contested an election—to be above reproach.

[Resolved that motions be continued.]

The Hon. H. C. STRICKLAND: I am grateful for the extension of time. As I was saying, the honour and integrity of Mr. Styants have been proved over and over again, yet the hon. Mr. Murray takes advantage of the privilege of this House to criticise the appointment of Mr. Styants, as a political appointment. As the Minister originally in charge of the betting control legislation, Mr. Styants was an obvious choice as a member of the Betting Control Board, when he became available. As hon. members know, Mr. Styants was defeated in a selection ballot, as candidate to represent the Australian Labour Party for the Kalgoorlie seat. Although there was another ballot, he did not again contest it, nor could he have

been persuaded to do so, and he did not squeal, because he is not that type of man.

When he was defeated in that ballot Mr. Styants took the verdict and said, "I am finished with politics". As the then deputy chairman of the Betting Control Board desired to go back to the position from which he had been seconded to that board, Mr. Styants was offered that post with no strings attached and with no undertakings, understandings or promises of any kind that he would ultimately become chairman of the board. In fact, he was not at all anxious to accept the position. Having been out of politics for some time Mr. Styants, right up to the last general election, was toying with the possibility of re-entering politics, although not as the representative of Kalgoorlie. He had received a lot of requests, from a different part of the State, to stand as a candidate for another electorate, but he finally declined the offer.

The Hon. J. M. A. Cunningham: He would have been foolish to take it.

The Hon. H. C. STRICKLAND: That would have had to be proved and the electors would have been the judges. Mr. Styants was asked whether he would take over the job of deputy chairman of the Betting Control Board, when the then deputy chairman wanted to return to his previous job in the Tourist Bureau. After some consideration, Mr. Styants decided to accept the offer, but with no thought of ever becoming chairman of the board. The point about which the hon. Mr. Murray is most concerned is the salary being paid to Mr. Styants. During the debate on the original legislation it was stated, by speakers in both Houses of this Parliament, that the salary to be paid should be a big one, in order to secure the services of someone who would be absolutely honest. The salary was made a big one, for that very purpose.

The original cost of the board was more than double what it is now, as regards salaries. There were two members of the board and their salaries added together were more than double the present cost of the board, so I do not see that Mr. Styants is now being overpaid. When he retires—I suggest it will not be very long, as I do not think he will ever qualify for long service leave—is it suggested that the position of chairman of the board be then advertised at £1,500 or £2,000 per year, or that in order to obtain the services of someone of the highest integrity the position should be advertised at £3,000 per year?

No matter what Government is in power when that day arrives, I venture to suggest that it will certainly not reduce the present salary but will, if anything, increase it. I cannot understand why the hon. Mr. Murray has moved for the disallowance of regulations which authorise

the ten days' annual leave per year in this instance. It is a paltry move, to suggest that any man should work every day of the year.

On the lighter side, I suppose it could be said that we are all filling political appointments—apart from independents or members who are not endorsed by any political party. The appointment of Mr. Styants as chairman of the Betting Control Board cannot be said to be a political one. What influence could the chairman of that board possibly have on any political issue? I do not think he could have any. An appointment to the bench of the Arbitration Court—or something of that nature—might come under suspicion as a political appointment and might be said by some people to savour of that, but no such suspicion can arise in this instance.

Again I say that I cannot understand the hon. member using the privilege which is granted to us, to air such views in regard to a person who is not able to be here and defend himself. I think it is a very poor attitude and one which does not run true to the practice of the average Australian, who believes in everyone being given a fair go. I am hoping that this House, therefore, will not agree to the disallowance of this regulation which means so little, but which, in fact, is authorising annual leave to be granted to the chairman of the Betting Control Board.

THE HON. J. MURRAY (South-West—in reply) [5.41]: When I first rose to my feet to introduce this motion, I explained the purpose of it. I now ask the indulgence of the House to withdraw the motion.

Motion, by leave, withdrawn.

BILLS (2)—THIRD READING.

- 1, Noxious Weeds Act Amendment.
- 2, Land Act Amendment.

Passed.

BILLS (5)—FIRST READING.

- 1, Health Education Council.
 - 2, Government Railways Act Amendment.
 - 3, Vermin Act Amendment.
 - 4, State Government Insurance Office Act Amendment.
 - 5, Industries Assistance Act Amendment.
- Received from the Assembly.

PREVENTION OF CRUELTY TO ANIMALS ACT AMENDMENT BILL.

Second Reading.

THE HON. H. C. STRICKLAND (Minister for Railways—North) [5.47] in moving the second reading said: The

proposals in this small Bill have been requested by the Royal Society for the Prevention of Cruelty to Animals. The main purpose of the Bill is to enable penalties more in keeping with the current value of money to be provided. The principal Act provides for minimum penalties, but on the advice of the Crown Law officers it is proposed in the Bill to remove this provision. From experience the Crown Law Department has found that the fixing of minimum penalties in other Acts has lead to injustice on a number of occasions.

It is preferable for the bench to have the discretion to fix a penalty after consideration of all the circumstances in mitigation without being fettered by a minimum penalty. The Bill therefore proposes to delete these minimum penalties and, at the same time, to increase maximum penalties from £25 to £50 and from £10 to £25.

Section 5 of the Act provides for compensation to be paid for injury caused to any animal, person or property by a person convicted of cruelty to an animal. The amount of compensation is limited to £10 but the Bill proposes to remove such limit and leave the amount to the jurisdiction of the court.

The penalty of £5 provided in Section 22 of the Act for persons who buy or sell, except for slaughter, animals who are unfit for work, is apparently considered adequate as the society made no request to increase it. The minimum penalty provision is, however, removed by the Bill.

So that magistrates, clerks of courts and other persons concerned with the administration and enforcement of the Act may familiarise themselves with the change in penalties and the change in the name of the society, the Bill proposes that the amendments shall come into force on a date to be fixed by proclamation.

The name of the society is now different from that appearing in the principal Act, the name now being Prevention of Cruelty to Animals, Western Australia (Incorporated), instead of the Society for the Prevention of Cruelty to Animals. The Bill, therefore, contains the necessary amendments.

Section 24 of the principal Act requires the inspection of spring traps at reasonable intervals. The society requested and it was agreed, that this section would be made clearer and therefore improved by adding after the word "trap" the words "snare, or other device." I move—

That the Bill be now read a second time.

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

COLLEGE STREET CLOSURE BILL.*Second Reading.*

THE HON. H. C. STRICKLAND (Minister for Railways—North) [5.50] in moving the second reading said: This small Bill proposes to close College-st. Rather than incorporate this closure with several others which we usually have at the close of the session, and because the position is rather urgent, Parliament is being asked to approve the closure of College-st. That is the purpose of the Bill. College-st. is a small street which runs from Sublaco-rd. to Roberts-rd. It lies between Thomas Street Infants School and Modern School. It is a street that is not used much by vehicular traffic—it is used very little indeed—and because of extensions to Modern School it is desired by the Principal Architect and the Education Department that this street be closed, and the greater part of it utilised for a new school building to be erected on that site.

There will be left a footpath—not a carriage-way—between the two roads. However, the vehicular traffic will not be put to any great inconvenience, nor will it have any further distance to cover. It will be only about 100 yards or so. I know the locality very well, and the loss of this street will mean nothing at all so far as traffic is concerned; but it is very important from the viewpoint of the Principal Architect and the Education Department. It is required as a site on which to enlarge the school facilities in that area. I move—

That the Bill be now read a second time.

On motion by the Hon. R. C. Mattiske, debate adjourned.

LAND TAX ASSESSMENT ACT AMENDMENT BILL.*Second Reading.*

Debate resumed from the previous day.

THE HON. F. J. S. WISE (North) [5.33]: When introducing the Bill the Minister made it clear that it is necessary to obtain £300,000 from land tax, which includes £100,000 as a counter to the Vermin Act as previously applied. In his introductory speech the Minister used, illustratively, services given to the community for which no satisfactory recompense or reimbursement is received by the Government; nor is it payable by the users or participants of such services. That contention of the Minister was severely criticised last evening by more than one speaker. I intend to deal later with those criticisms.

It is perfectly true that all Governments need the requisite finance which the imposition of a tax of this kind, levied on the community, brings forth. This is a perfectly valid form of taxation. The debate has covered a very wide scope. It has

dealt with matters pertaining to land use, agricultural production, the use and charges levied by State instrumentalities for different services, and so on. I take sharp exception to some of the statements made last evening by speakers who addressed themselves to the debate. I agree, however, with one statement made by the hon. Mr. Watson. When referring to country water supplies he said that "if they are not producing the right amounts, let us have a look at them on their own basis." I support that viewpoint; that where services have been given or provided by the Government to benefit any particular area in a productive sense, if the charges raised for those services are not sufficient they should be made sufficient; at least sufficient to the point to service the debt involved.

The Hon. H. L. Roche: Would you include North-West shipping in that?

The Hon. F. J. S. WISE: There are exceptions, where people who are suffering disabilities must be provided with amenities; but people who are receiving benefits—and where those benefits are accruing to them personally—are in an entirely different category. I disagree with the hon. Mr. Watson when he says that our land tax is probably more harsh than any other land tax in Australia. That is entirely wrong. I can quote from the "Taxpayer," and from the 24th report of the Commonwealth Grants Commission to show that that contention is erroneous; and I shall do so at a later stage. It is true to say that this Government is not imposing any more tax on the agricultural community than the Governments of other States—including all the Liberal Governments of Australia.

Our rates do not exceed the rates of other States. I say that without any fear of contradiction, and I shall quote from authorities to show that that is so. The hon. Mr. Jones, in the course of his speech said, "It is one of those moves started by a Labour Government because it will drive people towards socialisation and socialism." Was there ever anything more ludicrous than that statement? This sort of tax is levied, as I have said, by the Liberal Governments of Australia; and would anybody in fairness say that Mr. Playford, Mr. Bolte or Mr. Nicklin imposed this tax because it would drive people towards socialism? They impose such a tax, and derive collections from it, for the purpose of carrying on the requirements of Government.

To return to the point made by the hon. Mr. Watson, there is abundant proof that our land tax is not more harsh than any other similar tax throughout Australia. The hon. member went on to say, and I carefully noted his words—

Church properties and non profit making organisations are taxed more heavily here than they are in the

Eastern States. In most States they are exempt. Here they pay very heavy taxes.

He said, "It is the same with non-profit-making organisations." That is not correct. The Land and Income Tax Assessment Act, under Section 10 which sets out the exemptions, states in para. (c)—

All lands owned by any person or society, and occupied or used exclusively for or in connection with any public hospital (whether supported wholly or partly by grants from the Consolidated Revenue Fund or not), benevolent institution, public charitable purpose, church, chapel for public worship, or the site of a residence of a minister of religion ministering at some place of public worship, or the site of, or occupied for the purposes of, a school attached to or connected with any place of public worship or as a mechanics institute or school of art; all lands the property of and belonging to any religious body, and occupied only for the purposes of such body; all lands on which is erected any municipal or State market, town hall, or municipal council chamber; and all lands owned by or vested in any municipal corporation, road board or other statutory public body . . . are exempted from the assessment of taxation under this Act.

The Hon. H. K. Watson: What about the proviso?

The Hon. F. J. S. WISE: The proviso very clearly states the position as follows:—

Provided that the exemption shall not apply to any such land which (not being the site of, or intended site of, or occupied for the purpose of a school or hall used or to be used for educational purposes the property of and belonging to a religious body) is a source of profit or gain to the users or owners thereof.

The Hon. H. K. Watson: They are exempt in other States.

The Hon. F. J. S. WISE: Exactly, but the hon. member said, "In other States they are exempt. Here they pay heavy taxes."

The Hon. H. K. Watson: So they do.

The Hon. F. J. S. WISE: He said further, "It is the same with non-profit-making organisations."

The Hon. H. K. Watson: That is so.

The Hon. F. J. S. WISE: It is not so. The situation with respect to insurance companies which was raised by the hon. member could have been corrected and would have been if a Bill introduced last session had passed. It is perfectly true that in the other States a 50 per cent. rebate on all improved land used by insurance companies is exempt. The hon. member knows that it was the intention

to do this in the defeated Bill up to 33½ per cent.—even in the case of an institution such as the A.M.P.—where the premises were used for insurance purposes.

The Hon. H. K. Watson: I moved that in 1956 and you voted against it.

The Hon. F. J. S. WISE: I know that is so but I would say that a subsequent Bill was introduced and defeated.

The Hon. H. K. Watson: It was not proceeded with.

The Hon. A. F. Griffith: It was defeated.

The Hon. F. J. S. WISE: Who defeated it?

The Hon. H. K. Watson: It was brought in as a piece of window-dressing.

The Hon. F. J. S. WISE: There is such validity in the hon. member's argument in that respect that if this Bill reaches the Committee stage an amendment could be considered validly on its merits.

The non-profit-making concerns, such as clubs, are given a specific rebate, and it is mentioned in the last report of the State Commissioner for Taxation. He had this to say—

Provision was made to assess land used solely or principally for purposes of a society, club or association not carried on for the purpose of profit or gain to the individual members thereof at the stepped rates but limiting the maximum tax of 3d. in the £ on values in excess of £20,000.

The Hon. H. K. Watson: As against exemption in the other States of the Commonwealth.

The Hon. F. J. S. WISE: That is so, but the hon. member's verbiage which he used in the course of his speech last evening did not fairly state the situation. The hon. Mr. Jones said that this tax is the biggest imposition which can be placed on a person or property. This tax is much less of a burden than any Commonwealth tax. It is a tax which is so minor in its personal incidence that it is not a burden at all. This tax is the merest fraction of what a local government might levy.

The Hon. J. D. Teahan: They do levy, too!

The Hon. F. J. S. WISE: This tax will bring in £300,000 by the medium of 12,000 to 15,000 assessments, and it cannot be said that it is the biggest imposition which can be placed on a person or property. One hon. member said that the tax would have the effect of reducing the standard of living and increasing overdrafts—this tax bringing in £300,000 from nearly 15,000 assessments!

The Hon. G. C. MacKinnon: You make it sound as though it is hardly worth collecting.

The Hon. F. J. S. WISE: I do no such thing; but that it is not necessary to oppose it. The sum of £300,000 is important, and if the Bill is defeated, I hope to show many other ways by which the Treasurer might receive the same amount. I would say that the dairy farmers—the butter-fat producers—who are the worst off of our primary producers, find very little burden in this tax. The dairy farmer uses 200 or 300 acres at the most, and we find that under the Act he is paying pence rather than pounds in the application of the tax. That is all he is paying on land which is used for dairy farming purposes. Indeed, he would pay less than would many suburban land holders for the lots on which their residences stand.

The Hon. A. F. Griffith: That tax, according to the Minister, is amazing; astounding.

The Hon. H. C. Strickland: The comparison is, yes.

The Hon. F. J. S. WISE: I repeat that many farmers pay less, under the existing law, than do many suburban dwellers on the land on which their houses stand—one-quarter of an acre. In the more established areas of our farming community—say in the Midlands lying between Walebing and Dalwallinu—it is doubtful whether more than 5s. per week per 1,000 acres is being paid in land tax. This means an amount of £12 10s. a year for land tax for 1,000 acres.

The Hon. L. A. Logan: Get their assessments.

The Hon. F. J. S. WISE: We can get the figure quite simply by looking at the local Government valuations which, in the main, are supplied by the Commonwealth Taxation Department. It is simply a matter of arithmetic to find out the position. If a man is on the basis of £2 per acre, it will be approximately £2 10s. per 1,000 at the 1½d. in the £ rate; and if it is £4 an acre, it will merely be double that; and there is not much of the rural parts of the State—certainly not the greatest proportion—that is assessed on an unimproved value of £5 an acre.

The Hon. F. D. Willmott: There is some, and that is where the tax comes in.

The Hon. F. J. S. WISE: That is so, and it is highly productive country.

The Hon. F. D. Willmott: Not that productive!

The Hon. F. J. S. WISE: It is highly productive country. If we take other areas—not those in the outer wheatbelt or in the former marginal areas, but closer in—we find that the amount paid in land tax approximates half the amount spent on tobacco by the average smoker; and most of that amount, indeed, would go to the Commonwealth Government.

The Hon. G. C. MacKinnon: Many people have given up smoking.

The Hon. F. J. S. WISE: This tax would not be the reason for their giving up smoking.

The Hon. J. M. A. Cunningham: And some have given up farming.

The Hon. F. J. S. WISE: And it is not the reason for anyone giving up farming. If we look at the scale applied to rural areas in other States—in States controlled by Liberal Governments—we find that the rates are not lower than those in Western Australia. But the important point is that the tax is imposed in those States, and it is levied on the basis of the unimproved value of the land. In Victoria a flat rate of 1d. in the £1 applies to all values up to £8,570.

The Hon. H. K. Watson: Commencing where; at £5,000?

The Hon. F. J. S. WISE: No. There is an exemption up to £650 for open land in Victoria. That is all.

The Hon. H. K. Watson: I think that has been amended and that the figure is now £5,000.

The Hon. F. J. S. WISE: No. I am quoting from the 1957-58 report of the Grants Commission; and this is authoritative. The rate there rises progressively to 7d. for each £1 of unimproved value in excess of the high figure of £85,000. I think there is no exemption at all in that State for either urban or rural land above a value of £1,200. But there are certain exemptions up to £1,000 in the case of suburban lands. I think that is the situation.

In Queensland the rates are progressive, ranging from 1d. in the £1 for holdings of low value to 8d. in the £1 on land of £75,000 or more of unimproved value. A statutory exemption of £700 is allowed, except to absentees or companies.

Sitting suspended from 6.15 to 7.30 p.m.

The Hon. F. J. S. WISE: I was dealing with the incidence of land tax in the other States of Australia and, immediately prior to the tea suspension, the hon. Mr. Watson raised the point as to whether Victoria did not have a higher exemption than the one I was quoting. For the sake of accuracy, and to ensure I was not in any way misleading the House, I took the opportunity to check the figures I had used. It is true to say that in the case of urban land Victoria lifted its exemption from £650 to £1,000 and now, under certain circumstances, has increased it to £1,200.

In the case of rural land Victoria has, I think since 1942, granted an exemption up to £3,000; and it could be that that figure has since been increased by a recent statute. If we are using those figures for a basis of comparison, which I am not—I am simply using them as a statement of fact—we must remember that Victoria is

a State which has very high priced rural land; and even the small, humble, poultry farmer in Victoria would have a property, the valuation of which would be several times in excess of a comparable property in this State. The same thing applies to the richer agricultural lands of Victoria.

In the case of New South Wales, for many years there was no land tax at all; but now that State imposes a tax comparable to the one levied in Victoria. In Queensland a rather involved formula is used and the rates are progressive, ranging from 1d. in the £ on holdings of low value, to 8d. in the £ on land of £75,000 or more of unimproved value. In that State land used for primary production by the owner personally is exempted up to £1,900, diminishing by £6 for every £5 by which the unimproved value exceeds £1,900, until it falls to £700 unimproved value. By comparison with what applies in this State, that is a most involved formula.

In South Australia, a State much applauded for its active administration, and administrator, the hon. Sir Thomas Playford, there is no exemption at all for rural land. That may be news to very many hon. members in this Chamber. In that State the tax rises to 7d. for each £1 of unimproved value in excess of £80,000 and there is no distinction between urban and rural land. An additional 20 per cent. of tax is levied on land owned by absentee owners.

The Hon. G. C. MacKinnon: Is there any concession for improved land?

The Hon. F. J. S. WISE: Only through the Commonwealth tax media which is a theme that could well be developed in discussing land tax generally because, as hon. members know, irrespective of what we might think of the harshness of the incidence of any tax, Commonwealth treasurers and tax authorities continue to give generous deductions, as direct deductions from income tax, on money used for developmental purposes—that is on land used for developmental purposes. As the farmer members in this Chamber would know, even those who have well developed land have an opportunity of getting deductions made for certain reasons; that privilege is not extended to those in the community who are not farming.

The Hon. H. L. Roche: If those deductions are not producing income.

The Hon. F. J. S. WISE: That is true; and I think that that attitude of the Commonwealth is not an ungenerous one. The Commonwealth gets more taxation through an increase in primary production.

The Hon. H. L. Roche: They pay more tax on their incomes.

The Hon. F. J. S. WISE: And ultimately they pay more tax by way of capital investment; but it takes a long time to accrue in many instances. So far as this State is concerned the scale starts at 1d. in the £ and reaches 7d. in the £ on land

the unimproved value of which is over £60,000. Of course, not many people in Western Australia would be in the category of holding unimproved land to a value in excess of £60,000; but that is the highest figure imposed in this State.

I said initially that I did not agree with many of the statements made by some members in this debate. Many of their arguments were unimpressive and unconvincing. It is unfortunate that it has been said on many occasions that the farming community is entitled always to complain; and it uses the opportunity of complaining. Many of us know that when conditions in the farming community were most opulent farmers continued to complain. It may not be a real comparison, but it is an illustration, to say that the tomcat is accused of squealing when there is much to be thankful for, and it is a habit that grows. It should be carefully guarded against.

The Hon. H. L. Roche: I have heard that accusation levelled at shearers.

The Hon. F. J. S. WISE: It could be levelled at many people; we could give many illustrations to support the point I mentioned. I do not think it is true to say, no matter how we may argue about the unfairness or inequity of a land tax as such—and the contention has already been raised in this debate, and may be raised again before it concludes—that farmers have been greatly prejudiced by it.

It is right to say there are not very many farmers who are prejudiced to the extent mentioned by some people that in the payment of this tax their standard of living has been reduced or that their overdraft has increased.

It was also stated that the present time was inopportune for the levying of this land tax. Of course, from the taxpayer's point of view no time is opportune to continue a tax or to increase its incidence. I can recall the days, and I am sure you, Mr. President, can likewise recall them because of all the hon. members in this Chamber we were the only two in Parliament in the early 1930's. You were Minister in a Government and you had no chance of avoiding, in spite of the parlous circumstances of the State at that time, the imposition of a dreadful tax. I refer to the financial emergency tax of a flat rate of 1s. in the £ on all incomes.

That tax was continued by successive Governments at the rate of 9d. in the £ and less, until it disappeared. The tax was imposed at a time when all incomes, including those of members of Parliament, were subject to a levy of 22½ per cent. That was in the days when Parliamentarians received £480 a year. That was not so long ago. I use that illustration to show that although the imposition of that tax was not opportune from the taxpayer's point of view in those difficult days, the tax was necessary; just as it is necessary

for all Governments, irrespective of their political flavour, to look for avenues and capacity for taxation—that is an important point—to derive some income. The tax to which we are now referring is indeed parallel to those that I have just mentioned.

In those days we had not only the financial emergency tax but also the farmers' debts adjustment legislation to contend with, as well as legislation dealing with moratoria of all kinds. You, Mr. President, yourself introduced some of the legislation, and I had the responsibility for years of continuing it. I had to administer that legislation.

I know the dreadful circumstances when some classes of wool brought in one penny per pound. The same class of wool in 1951 brought 80d. per pound. The period from 1951 to 1953, which was part of the honeymoon referred to by at least some speakers last evening lasted much longer than the average domestic honeymoon. It gave a prolonged period of joy as a honeymoon involving income. Very rarely do domestic honeymoons last for anything like a decade.

To all those who oppose this continuance Bill I suggest that this is certainly a time to vent one's feelings in opposition to the tax, to raise the very many points over which one feels discouraged, irrespective of whether such opposition arises from the principle that a land tax as such is a bad one or from dire circumstances, if such dire circumstances do exist.

I have endeavoured to show that firstly this tax is a valid one; and further that it is comparable with taxes raised by the Premiers of all the States in Australia, and that it is a tax taken up by the States because the Commonwealth relinquished this field of taxation. Those who are State-righters and advocates for State taxation rights should be the first to support the measure because it gives to the State the right to levy, within its boundaries, a tax which the Commonwealth Government relinquished.

I suggest there are many ways in which the Treasurer might give serious thought to raising revenue, if this Bill is not passed. I mentioned earlier my support of such ideas as that of the hon. Mr. Watson to have a look at the charges for country water supplies. I go further and say that the Government must have a look at rail freights in general.

The amount expected from this land tax is £200,000, or £300,000 including the vermin tax. I understand some members of this Chamber will support the re-introduction of the vermin tax if the Bill before us is defeated. They have said so. The amount of £200,000 could be raised by a flat increase in the freight rate on wheat of 1d. per bushel. Such an increase would bring in, on a 48,000,000 bushel harvest, a sum of £200,000.

The Hon. L. A. Logan: That would increase the cost of living and everything else.

The Hon. F. J. S. WISE: Not every rise increases the cost of living. The freight increase would be on the same basis as a tax. There is no quarrel with what people do, other than Governments, in collecting levies. For example, the Government could, I am not suggesting that it should, raise quite a lot of income from a super tax by way of receipts on the sale of stud stock and rams. There is no cavil raised at the burden placed on farmers by stock merchants and agents of the charge of 1s. in £1 for the sale of stud stock. Let the Government suggest that and see what sort of wailing will occur!

The Hon. F. D. Willmott: They get some service for that charge.

The Hon. F. J. S. WISE: They certainly give very little service in many instances. I would like to hear some members of this Chamber speak their minds on that subject, now that they are not tied to the very people who imposed burdens on them through the years. But I cannot expect them to do so.

This State, the present Government and some of its predecessors have, without doubt, given to the rural community many rights which initially might have been regarded as privileges. In spite of what might be said in contradiction, they are still considerate in their attitude to primary producers. Although we may cavil at the costs levied against the farmer for amenities and services, no matter how carefully those services may be administered, many of such costs are perhaps 50 per cent. of what might be expected if those services were provided by private enterprise.

I said there were many fields of taxation which the Treasurer could consider. While I am not suggesting that he might impose one tax I have in mind, I would point out that this is the only State in Australia where primary producers are exempt from wharfage in respect of their export commodities.

Victoria has a somewhat similar situation. In all the other States primary production pays wharfage and harbour dues but in this State it does not. So there are circumstances which warrant consideration; the counting of our blessings and not the use of extravagant criticism and condemnation of a tax of this kind which brings in nearly £300,000 from approximately 12,000 assessments. Therefore it is no use members of this Chamber advocating relief by the use of the arguments that it is a ruinous tax; that it will lower the standard of living; and will increase overdrafts. "The West Australian" in its leading article on Saturday suggested that the land tax Bill should be rejected. I am certain that this article will

be read avidly by most members opposed to the Bill. But after giving one column of not very serious condemnation or criticism, it has a little bit of opposite advice.

An hon. member: Ten shillings each way.

The Hon. F. J. S. WISE: Not quite. A little odds on. The article says—

The Opposition Parties ought to evolve a clear pre-election policy indicating what they themselves would do in office.

I will let that sink in for a moment.

An hon. member: Did you pay them well?

The Hon. F. J. S. WISE: "The West Australian" goes on to say—

A negative attitude denying the Government revenue without offering a constructive alternative is not enough.

As one who has no fetish of criticism of "The West Australian" I find myself in agreement with that statement, or with that part of the leading article. I support the Bill.

THE HON. A. F. GRIFFITH (Suburban [7.54]: I think the Government is fortunate indeed in having as one of the members of its party a man such as the hon. Mr. Wise, who so often in this House, presents a case on behalf of the Government—

The Hon. H. C. Strickland: To which there is no answer.

The Hon. A. F. GRIFFITH: —much more efficiently than does the brief which the department hands to the Minister on occasions, and I think this is one of those occasions. I do not always believe entirely in the comments that the hon. Mr. Wise makes. He would not expect anybody to do so and some of the things he professes, upon examination, could be exploded anyway.

The Hon. F. J. S. Wise: That applies to you too.

The Hon. A. F. GRIFFITH: It applies to all of us.

So near to the point was that statement concerning the one small explosion I had to make on the Victorian land tax, that the hon. member beat me to the post and made the explanation himself. I have made my opinion on land tax quite clear before, and I have not changed my mind. I said in 1957, in this House, that if I had my way there would be no tax on land other than unimproved land. I believe that a man who works hard in an endeavour to gain for himself a piece of land, whether it be a quarter acre block in the metropolitan area, or a farm, practices the principle of democracy in endeavouring to gain possession of that land. Then he is taxed, as a bit of good measure, because he has been wise enough to gain the land for

himself. I am of the opinion that land tax is almost as iniquitous as is probate duty.

The Hon. E. M. Davies: What about the pay-roll tax?

The Hon. A. F. GRIFFITH: The hon. member mentioned pay roll tax. He made a similar interjection when someone was talking before.

The Hon. E. M. Davies: I will be making it again.

The Hon. A. F. GRIFFITH: Well, if the hon. member gets on his feet and has something to say, it will not be an interjection. It will be a statement in the first person.

But if the Commonwealth Government were to release its hold on payroll tax, and that would not be a bad idea, we would probably find that the same tenacious grip which the present Government sought on the tax that was released on entertainments, would be sought to take another tax which the Federal Government had decided to pass on—if it did so.

The Hon. H. C. Strickland: But you know it would not.

The Hon. A. F. GRIFFITH: When introducing the Bill, the Minister made this statement—

If we compare a tax of 3d. per acre, on highly productive and profitable land, with the taxation on perhaps a quarter of an acre of land on which a worker's home is built—or half an acre, perhaps, on which a company director has his residence—we would see that the rate of tax per acre is simply astounding—

Let us examine the circumstances which made this tax astounding. The circumstances, so far as the the people living in the city and metropolitan area are concerned, concern the introduction of a Bill which was commenced by members of the Government in 1956, and which found its way on to the statute book. At least one other speaker last night, in the person of the hon. Mr. Diver, said he gave support to the Bill because an undertaking was given by the Government that there would be no increase in rail freight. But is there such an undertaking on this occasion? Without such an undertaking the hon. member is prepared to still allow the mortgage—and it is very heavy one—to be maintained so far as the metropolitan dweller is concerned.

The Hon. G. C. MacKinnon: And town dweller.

The Hon. A. F. GRIFFITH: And, as the hon. Mr. MacKinnon says, on townsite land and in the country also. The astounding tax that the Minister talks of—

The Hon. H. C. Strickland: Astounding comparison would be right.

The Hon. A. F. GRIFFITH: Well of course it is easy now—

The Hon. H. C. Strickland: You read it out yourself.

The Hon. A. F. GRIFFITH: Yes, I read it out myself. This outstanding comparison—that will make the Minister happy—is on the statute book today despite the fact that the Government had the opportunity to give a rebate of 50 per cent. on land that had been improved, not only in the metropolitan area, but in townships in the country. The opportunity was in the hands of the Government last year to return to the situation that this State had known for some 50 years in connection with land tax—the term “50 years” might be an exaggeration, but a long time anyway.

Had the Government accepted that amendment last year, the Bill before us would not have been necessary; but the attitude of the Government then was to ignore this Chamber, and it did not even follow the customary practice of forwarding the measure back to us with a message saying that it disagreed with our amendments, or something of that nature, thus leaving room for further debate. Instead of that, the Government completely dropped the Bill. When speaking to the measure of 1957, I asked some questions about amounts that were anticipated to be collected by means of the land tax. At page 2379 of last year's Hansard we see those questions, which are as follows:—

- (1) Of the gross land tax collections of £1,108,173 in 1956-57, how much—or approximately how much—was received in respect of improved rural land?
- (2) Of the estimated gross land tax collections of £1,430,000 for 1957-58, how much—or approximately how much—is in respect of:—
 - (a) improved rural land;
 - (b) all other improved land;
 - (c) all unimproved land in the State?

The reply given was that statistics had not been kept in order that those figures could be given with a precise determination of the amounts requested, yet we are now told that we can base a figure on it. The Minister said that the reason for increasing the tax and imposing the tax on rural land in 1956 was that there would be no increase in rail freights. He said further, that the railways deficit was substantial and was increasing, but in introducing the Bill now before us he did not give that excuse. In addition to there being no undertaking concerning rail freights, the excuse now given by the Minister is that country people are receiving amenities and are profiting from and enjoying benefits provided by the Government.

The real reason for trying to continue this tax is, as the hon. Mr. Wise told us a little while ago, an endeavour to make the

Budget balance, if that is possible. I will refer now to some questions I asked earlier this session, as to what increases in charges had been made, what were the percentage increases in each case and whether any further taxes or charges were contemplated; because on that occasion the Minister was good enough to table four pages of increases that had taken place between 1953 and the present day. For good measure he threw in some increases that had been made by the previous Administration although, as I said at that time, they were not asked for.

The Hon. H. C. Strickland: They were included for the information of hon. members.

The Hon. A. F. GRIFFITH: I will not waste time on that now, but I could refer the Minister to some questions which were asked, when perhaps it was not convenient to give such full information, and rather than answer the questions in detail, as on this occasion, the Minister was evasive, to say the least. However, we will pass that by.

The Hon. H. C. Strickland: What does that mean?

The Hon. A. F. GRIFFITH: In last year's Hansard can be found the thought which I then voiced on this question, and I have the same thought now; it is a question of a dog chasing its tail, because the State's deficits seem to become larger and larger as the years go by and one wonders where it is going to end—

The Hon. F. J. S. Wise: Haven't you seen many dogs catch their tails?

The Hon. A. F. GRIFFITH: Despite that facetious interjection, I wonder where it is all going to end? The people of this State are having one tax after another placed upon them by the Government in an endeavour to overtake the lag, and surely it must end somewhere! A very good point was taken by our new member, the hon. Mr. Abbey, last night, when he said that the field of land tax must surely belong first to the local authorities, which have to do a great deal for the owners of the land! The Government had an opportunity to give consideration last year to some amendments passed by this House. They were amendments which would have been equitable to all, but the Government would not pay any heed to them.

The Hon. H. C. Strickland: The Chief Secretary explained it to you.

The Hon. A. F. GRIFFITH: To my mind the Government took no notice of the amendments which this House sent back to another place last year; and they were not referred back to us for further consideration. However, that is now history and there is no need to go over it again. I believe that the reason given by the Minister on this occasion for the further implementation of this tax is not consistent with the reasons given last year. On that

occasion, I repeat, it was said that there would be no increase in rail freights, but on this occasion the Minister says the tax is necessary because people in the country are enjoying benefits provided by the Government. I say they are paying for any benefits they get, just as everyone does in some form or other. I cannot support the second reading.

THE HON. H. L. ROCHE (South) [8.7]: I must oppose this measure, because to my mind a tax on improved agricultural land is a tax on the enterprise of the individual and one for which he receives very little of those benefits to which some previous speakers have referred. Of course, almost every tax that is levied on the community results in some benefits accruing to one section or another of the people. I said, by interjection, that there is some personal benefit to certain people through the losses incurred on the shipping service to the North-West, and there are also benefits such as attendance money, which accrue to certain people through the taxation that is levied.

However, as the hon. Mr. Griffith said, almost all of us pay something in taxation for any benefits that are received. There is no man in the community who pays more, in both direct and indirect taxation, than the producer in rural areas. A tax on what might be termed part of his tools of trade, such as a land tax on improved land, I believe, on principle, should be opposed by this House. After all is said and done, among the benefits received by the farmer there has been—should I say—some temporary aberrations on the part of the Government. I will mention only two. Firstly, there is the present position that has arisen due to the Government's sudden desire to effect economy in a paltry manner through the Education Department by restricting school bus services.

The provision of these services might justifiably be regarded as a benefit. However, there is little to commend an additional impost on the country people who find that, for the purpose of effecting a saving of £50,000 or £60,000 by restricting the bus services, their children have to travel 50 and 60 miles a day from early morning until late at night in all weathers.

The PRESIDENT: I hope the hon. member will connect his remarks with the Bill.

The Hon. H. L. ROCHE: Yes, I will, Mr. President. This is being done merely because the Government is anxious to effect economies. Yet the people who are directly affected by this move are those whom the Government is asking to contribute this proposed tax.

Secondly, there are hundreds of people—among whom are many who can ill afford it—who, as a result of a suggested move to effect economy on the railways, are

now to be put to greater expense because of increased freights on their products and the goods they have to buy. Those people, therefore, without any return whatsoever have to pay the extra charges that have been imposed by the Government apart from this proposed tax. There is no doubt that of all the people in the community, those who reside in the country are the most severely handicapped.

Therefore, I think we can approach this question on the basis of the principle that whilst the land tax that will be imposed on many individuals might not be great, the implications of the principle are such that we should not entertain the passing of this legislation. To my mind, according to a Press report, the Government cannot be particularly short of money when, on a mere suggestion that the Empire Games are to be held in Perth, the Treasurer is able to offer to contribute £150,000 towards the total cost of holding the games in the metropolitan area. In spite of this, we have people in the country districts making representation upon representation for houses to be provided in those parts and they are told that they will have to wait because funds are not available.

The Minister for Housing—again in connection with the Empire Games—can say that as far as the provision of accommodation for the visiting athletes is concerned, the sky is the limit. Yet the Government is asking the country people to provide £300,000 through the imposition of this tax. If the Government were prepared to avail itself of the suggestion made, that amount would be about £200,000. I think the suggestion has been made, both here and in another place, that if the Government introduced a separate vermin tax it would not be opposed by those who oppose this measure.

Some comparison was made between this tax and the tax raised by local authorities and I would remind those who made it that the people in the country have spent, for their benefit, the money that is raised by the local authority and, what is more, they can see some value for it. Also, they have more direct control over that expenditure through their elected representatives. So the local authorities' tax is entirely different from a tax such as this which, when collected, is dissipated we know not where.

Whilst it may be true enough to claim that this State grants greater consideration to its rural producers insofar as taxation is concerned, when comparing it with other States, I would again remind members that there is no State in Australia which is more utterly dependent upon maintaining a high standard of rural production than is this State. The maintenance of that standard is worth £200,000—which is not a great deal when compared to railway freights—and represents only about 2 per cent. of the total

railway revenue collected. It does not appear to me, therefore, that it is going to be any great salvation to the Premier so far as railway losses are concerned.

I consider that the rural producers, in the main, pay for the benefits they receive and some of them pay very heavily. When we realise that their major costs are loaded against them as a result of the machinery of the Government or because the Government has not control over its expenditure, I do not think that the benefits they receive are out of proportion to the amount they pay.

If the Treasurer is so hard pressed that £200,000 will make all the difference to the economy of the State, I suggest, in all seriousness, that some economy might be effected in Government spending.

THE HON. F. D. WILLMOTT (South-West) [8.19]: As I have, on former occasions, voiced my objections to land tax, it is not my intention to repeat all of them again tonight. However, there is one point I would like to make. When speaking to this Bill, Mr. Wise said that there was comparatively little land with an unimproved value in excess of £5 an acre in this State.

That is quite correct. I do not quibble with the hon. Mr. Wise on that score. But I would say that when one looks at the position of the province that I have the honour to represent, in company with some other members in this Chamber, one finds that nearly all the land that is valued in excess of £5 per acre—and in some cases very much in excess of £5 per acre—lies in that area.

I have said on previous occasions that one of my main objections to the tax is that it has no regard for capacity to pay. I think that is still so. The hon. Mr. Wise himself made mention of the dairy farmer as being one of those least able to pay the tax. That is correct. But the dairy farmer is in possession of the land with that high value. I do not say for one moment that any farmer, whether he be a dairy farmer or any other, is going to be ruined by this land tax. That is not so. I do not agree with that contention at all. If it came into operation it would not be very heavy on any individual. But the objection I have, as I have said before, is that the greatest amount of tax will be paid by those who can least afford to pay it. Accordingly I have no intention of supporting this measure.

THE HON. J. M. A. CUNNINGHAM (South-East) [8.22]: I rise to say only one or two words on this measure. I opposed a similar Bill before, and now, because of the changed circumstances in the portion of the State I represent, I am even more opposed to legislation of this nature. We read quite recently that unimproved land has been changing hands in large quantities at £1 per acre at Esperance. This land was purchased a

few years ago at 4s. an acre. By way of interjection the Minister reminded us that some of the land in that area had changed hands at £20 and £30 an acre. This would mean that a man owning 2,000 acres purchased originally a few years ago for £300 or £400 would be paying land tax per year, in excess of the original cost of the land on these land valuations. He would be doing this at a time when, far from being able to pay extra taxes he is seeking help. Every single pound he can get is needed to be put back into the development of his property. I have explained before that this money is required desperately, to enable these people to build and develop their properties. In all the circumstances I cannot in any way justifiably support the measure.

On motion by the Hon. J. G. Hislop, debate adjourned.

LOCAL COURTS ACT AMENDMENT BILL.

In Committee.

The Hon. W. R. Hall in the Chair; the Hon. E. M. Heenan in charge of the Bill.

Clause 1—agreed to.

Clause 2—Section 121 amended:

The Hon. E. M. HEENAN: When I had this amendment drafted there was some doubt in my mind as to whether Section 139 covered all necessary grounds of appeal. On further inquiry I am satisfied that Section 139 of the Act does cover all the grounds. Accordingly the proposed amendment is unnecessary.

The Hon. G. C. MacKINNON: I do not think that all the implications have been dealt with fully in the preparation of this Bill. That is borne out by the fact that an amendment of this nature was quite unnecessarily included; it was already embodied in the principal Act.

Clause put and negatived.

Clause 3—Section 126 amended:

The Hon. J. M. THOMSON: I move an amendment—

Page 2, line 22—Delete the word "fifty" and substitute the words "thirty-five".

When comparing the values in 1904 and 1938, when the Act was last amended, with those that exist today I think it is necessary to increase the amounts. I do not agree, however, that they should be increased to the figure desired by the hon. Mr. Heenan.

The Hon. R. C. MATTISKE: When we speak of clothing to the value of £50 do we mean the cost price or the secondhand value at the time of the action? It is very ambiguous and needs clarifying.

The Hon. E. M. HEENAN: The same phraseology has been in the Act since 1904, and it has not been regarded as.

ambiguous by the parties who have had to interpret it from time to time. Obviously the value is the present value. The value of the book in my hand is its market value at the present time. The figures at present in the Act for wearing apparel are obviously ridiculous today, and I think £50 in round figures is reasonable. The hon. Mr. Thomson is proposing a figure of £35, but it seems rather like splitting straws. Wearing apparel is rarely, if ever, seized.

After a period of 20 years, I think it is reasonable to raise the amount to £50 and I hope that the hon. Mr. Thomson will not proceed with his amendment. If he does so, rather than argue about it, I think I would agree with it. I hope hon. members will agree that £50 is justifiable.

The Hon. R. C. MATTISKE: I am afraid I am not satisfied with the explanation given by the hon. Mr. Heenan, despite his use of the word, "obviously." The book to which he referred could have two values; first of all the secondhand value to a present-day purchaser, and secondly the value which would be attracted to it as a replacement. I think it is necessary to insert the word, "secondhand" before the word "value" to make sure there is no doubt as to intention.

The Hon. G. C. MacKINNON: I am in complete agreement with the hon. Mr. Heenan. I will go further than the hon. Mr. Heenan and say that clothing has not been taken by a bailiff for a great number of years. The point raised by the hon. Mr. Mattiske is of great moment in regard to the general amendments proposed to this Bill, because from the speeches which have been made it is obvious that we are at cross purposes. According to the authorities which I have seen, the value is the value at the time of a forced sale for cash. The clothing is taken from a home and sold under the hammer at a secondhand auction mart.

The Hon. A. F. Griffith: The amount of £50 would be a very protective value on clothing.

The Hon. G. C. MacKINNON: It is protected now because no bailiff touches clothing. I agree with the hon. Mr. Heenan that it does not matter whether the amendment is accepted or not. The amount could be £35 or £50.

Amendment put and negatived.

The Hon. J. M. THOMSON: It is not my intention to proceed with my next two amendments to this clause because they are consequential.

The Hon. G. C. MacKINNON: Mr. Chairman, I would like a direction from you at this stage. You will notice in reading these amendments that they somewhat cut across each other. The amendment which I propose to move, whilst dealing with the same subject, is

framed differently from that proposed by the hon. Mr. Thomson. In which order would you prefer to have them?

The CHAIRMAN: I propose to take the amendments in their order on the notice paper.

The Hon. G. C. MacKINNON: We come back to the main crux of this problem, which is valuation. We also come back to the question as to what an average house does contain. I did toy with the idea of suggesting a proviso that for the purpose of this section, value be limited to the current new price, and that goods held under hire purchase and goods held under terms by the purchaser be totally exempted. I am sure it is not the intention of the hon. Mr. Heenan to protect people who run into debt at the expense of their creditors.

My purpose in moving this amendment is to keep the exempt valuation at a reasonable figure. People who get into debt know they are doing so and we have to consider both sides of the question. If the figure is left at £300, it must represent goods which are free of hire purchase debt. It is amazing how few homes would be able to provide £300 worth of furniture on a "for sale for cash" basis; and if we allow that 20 per cent. of household goods are currently under hire purchase this will again reduce the number of people who will have anything in excess of £300. For that reason I have suggested £50.

The Hon. L. A. Logan: Which amendment are you talking about? You are speaking to the wrong amendment.

The Hon. G. C. MacKINNON: It all deals with my amendment to delete all the words after the word "effects" in line 26.

The CHAIRMAN: There is no motion before the Chair. The hon. Mr. MacKinnon has not moved an amendment yet so far as I am concerned.

Point of Order.

The Hon. E. M. Heenan: Mr. Chairman, which amendment are we discussing?

The Chairman: When I put the clause, Mr. Thomson said that he did not propose to continue with his next two amendments which were consequential to the one that was not carried.

The Hon. E. M. Heenan: The hon. Mr. Thomson is moving amendments in lines 22, 23 and 24.

The Chairman: If the hon. member resumes his seat I will explain the position. The hon. Mr. Thomson said he was not desirous of going on with his further amendments. The next amendment on the notice paper is that of the hon. Mr. MacKinnon. If the hon. Mr. MacKinnon is defeated in his amendment, the hon. Mr. Thomson can proceed with his.

The Hon. H. K. Watson: If Mr. MacKinnon is defeated, we will have virtually said that the word can remain in the Bill.

The Chairman: Mr. Thomson is quite in order in going on with his amendment if the amendment to be moved by Mr. MacKinnon is defeated.

Committee Resumed.

The Hon. G. C. MacKINNON: I move an amendment—

Page 2—Delete all the words after the word "effects" in line 26 down to and including the word "refrigerators" in line 27.

I consider the words "household effects" should cover all these items.

The Hon. E. M. HEENAN: I hope the Committee will not agree to the amendment. We do not want any ambiguity. I have included radio sets and refrigerators advisedly because if they are not specified it could be argued that they would not be included in the phrase "household furniture and effects." I make it clear that we exempt household furniture and effects including household refrigerators and radios to a certain value.

The Hon. H. K. WATSON: I find myself in substantial agreement with the hon. Mr. Heenan, particularly regarding the words "other than beds and bedding" which follow the words "furniture and effects." It is necessary to leave those words in. I would go further than the hon. Mr. Heenan and include television sets. We may have television here within 12 months. A television set is a household effect no less than a radio or refrigerator. We should include it to remove any ambiguity.

The Hon. E. M. Heenan: Yes.

The Hon. G. C. MacKINNON: The point brought forward by the hon. Mr. Watson is one of the reasons why I thought it advisable to exclude that section. I understand that, legally, a list of inclusions, automatically presupposes a list of exclusions. If radios and refrigerators are not goods and effects legally, then it would be reasonable to suppose that washing machines, polishers and television sets would not be legally classified as effects. I might also suggest the inclusion of a washing machine, polisher, vacuum cleaner, cake mixer and vitamiser.

The Hon. A. L. Loton. What about a coffee grinder?

The Hon. G. C. MacKINNON: Yes, if the hon. member wishes. I would like the Committee, to be clear on the point that a list of inclusions presupposes, legally, a list of exclusions.

The Hon. W. F. WILLESEE: It is possible that when the word "effects" was originally written into the measure, not

many of the items now mentioned would have been classed as effects. In order to tidy up the matter it might be as well to list the various items.

The Hon. H. K. WATSON: In the light of the hon. Mr. MacKinnon's second explanation, I am inclined to agree that we should make an exhaustive list, or confine ourselves to the words "household effects." Just what is the proper thing to do, I must confess I do not know at the moment.

The Hon. E. M. HEENAN: On second thoughts, I do not think I will oppose the hon. Mr. MacKinnon's amendment. We will confine ourselves to household furniture and effects.

Amendment put and passed.

The Hon. G. C. MacKINNON: I move an amendment—

Page 2, line 28—Delete the words "three hundred" and substitute the word "fifty".

This deals with valuation. The valuation must be affected by the items that are excluded. We must make up our minds whether we are going to protect completely the debtor against every contingency or whether we are going to include a reasonable proposition by which the creditor may take action. When the bailiff makes a valuation he automatically excludes everything in the home which is held under hire purchase. Therefore I feel that the figure of £300 is too high. I have suggested the figure of £50. This would include everything in the kitchen, a dining-room suite, and probably a proportion of the lounge in a reasonable home. It would give a fair selection. Bailiffs have a good record in this State and they act in a humane manner, but we should give some consideration to the creditor.

The Hon. W. F. WILLESEE: I oppose the amendment. The question of hire purchase is being given too much prominence. Elderly people would not have much furniture on hire purchase. Should they lose any furniture under a warrant of execution they would have no opportunity to repurchase. As the Act stands, very little protection is given.

Probably most of the items we have been discussing would be purchased under hire-purchase and, if any of those items were seized, people, particularly those getting on in years, would have no opportunity of being able to get other goods. I do not think the extension to £300 is too much in the circumstances.

The Hon. H. K. WATSON: Mr. Chairman, I would like your ruling on this question: If by any chance the words "three hundred" are not deleted, will the Committee have a second chance of considering those words when the hon. Mr. Thomson moves his amendment?

The CHAIRMAN: I think the hon. Mr. Thomson should move an amendment on the hon. Mr. MacKinnon's amendment to put the matter in order.

The Hon. J. M. THOMSON: I move—

That the amendment be amended by deleting the word "fifty" and inserting in lieu the words "one hundred and fifty".

The Hon. J. G. HISLOP: I would like both the hon. Mr. MacKinnon and the hon. Mr. Thomson to withdraw their amendments so that we could go halfway and delete the words "three hundred" and insert in lieu the words "one hundred". That would simplify the whole thing.

The Hon. G. C. MacKinnon: What we want is a Dutch auction.

The Hon. A. F. GRIFFITH: The object is to get the words "three hundred" out of the Bill so that some other words can be inserted in their place. I think the best idea is for both hon. members to withdraw their amendments, and then for the hon. Mr. MacKinnon to move to delete the words "three hundred" with a view to inserting other words.

The Hon. G. C. MacKINNON: I agree with the hon. Mr. Griffith that it would be easier if I broke my amendment into two and moved, in the first place, to delete the words "three hundred". Then we can thrash out most of our arguments and decide what words shall be inserted in their place.

The CHAIRMAN: I will ask the hon. Mr. Thomson and the hon. Mr. MacKinnon to withdraw their amendments.

The Hon. J. M. THOMSON: I ask leave to withdraw my amendment on the amendment.

Amendment on amendment, by leave, withdrawn.

The Hon. G. C. MacKINNON: I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

The Hon. G. C. MacKINNON: I move an amendment—

Page 2, line 28—Delete the words "three hundred" with a view to inserting other words.

The Hon. E. M. HEENAN: I shall not strenuously oppose this amendment because I gather from the tone of the debate that hon. members are giving the proposal sympathetic consideration, and are prepared to go a long way towards granting much-needed relief along the lines of the Bill. But I should like to correct one or two wrong impressions which may have been conveyed by the hon. Mr. MacKinnon. Once a bailiff makes a seizure he makes out a list of the articles and he has to hold them for five days. His future actions are determined by the

instructions he receives. He just cannot do as he likes, and he is directed to do certain things. It depends on what his masters tell him to do. I readily acknowledge that most bailiffs are decent, honest men with a degree of sympathy which most of us possess; and it is not a very pleasant job to sell up people's goods.

The sale of the goods is advertised and one sees these advertisements in the Press from time to time. They may not be conspicuous in a large paper like "The West Australian"; but the advertisements are conspicuous in some of the country papers and they set out the names of the unfortunate people and the articles which have been seized. These goods are sold by public auction and, like all public auctions, sometimes they are sold cheaply and sometimes extravagant prices are obtained. Experts value the goods which are seized and those valuations are accepted. These days it does not take much furniture to add up to £150 to £200.

A warrant of execution is not the only means whereby a creditor can collect his money. I readily acknowledge that we have to be careful about taking away any rights which a creditor may have because in many instances he is in need of the money. We have to try to hold the scales evenly. In these days if a person will not pay what is owing by him there is a simple and cheap process of bringing him before the magistrate; and the magistrate grills him, inquires searchingly into his circumstances and then orders him to pay so much a week. If he does not do as he is ordered he can go to gaol. That is the normal process used against the poorer classes of people.

Last night I instanced the case of an unfortunate man who got into debt to the extent of £200 or £300 because his little girl was knocked over and she was not insured. He cannot claim against the Motor Vehicle Trust and he now has to pay that sum of money. The hospital concerned is a generous institution but it has to get its money and it will put the account into the hands of an efficient debt-collecting organisation.

Although my figure of £300 might be too high for a start, I honestly think the Committee should agree to go half way and make the figure £150. A man can be brought before the court by judgment summons, and he could even be made bankrupt. There is also the garnishee process which can be used if he has money hidden away. We must think of the unfortunate wives and children who would be affected. Of course there are rascals who dodge their debts and refuse to pay up but they are not typical cases. The people I am concerned about are the small families and the elderly members of the community. Often through misfortune they get into debt and cannot pay.

Surely if a refrigerator is their only worthwhile piece of furniture, it should not be seized and sold. I would not object to a reduction of the amount to £200, or at the minimum, £150. The amount of £50 suggested by the hon. Mr. MacKinnon is not in line with present-day values.

The Hon. A. F. GRIFFITH: I would refer to Section 122 of the Local Courts Act which provides that a bailiff may, under a warrant of execution by which he is directed to levy a sum of money, seize and take, and cause to be sold, any land which the person named in the warrant is or may be possessed of or entitled to, or which he has the power to transfer or dispose of for his own benefit. He is not in the hands of his creditors at all.

I want to refer also to Section 128 which says that a sale of goods which are taken in execution should not be made until after the expiration of five days at least next following the day on which the goods were taken, unless the goods are of a perishable nature, except upon the request in writing of the person whose goods are taken. Until the sale, the goods must be deposited by the bailiff in some fit place, or they may remain in the custody of a fit person approved by the bailiff to be put into possession by the bailiff. This means that the goods cannot be seized and a period of five days has to expire before they are sold.

It is important to point out that under those two sections the bailiff is not in the hands of the judgment creditor, unless the latter sees fit to interfere with the process taken by the bailiff.

More important still is Section 139 of the Act, which says that if at any time it appears to a magistrate that the defendant in any action or matter is unable, from sickness or other sufficient cause, to pay and discharge the debt or damages recovered against him, or any instalment thereof, the magistrate may suspend or stay any judgment given or execution issued.

The position is that a warrant of execution can be taken at any time against land held by a debtor and the bailiff can sell it unless he is instructed to the contrary by the creditor; the second section to which I refer provides that in the case of goods the bailiff holds them for five days, unless they are perishable, before selling them. Under the third Section a judgment creditor may apply to a magistrate for satisfaction. Thus any amount of protection is given under those three provisions.

Whilst I am in complete sympathy with the people described by the hon. Mr. Heenan, as in the case of a child knocked down and the father being unable to pay the expenses arising from the accident, I must also consider the position of a person who is owed £200 for wages. If that person

happened to be the very father of that injured child he should be able to recover those wages to meet the expenses of the accident. We should not destroy the principle that a person has the right to recover money owing to him. As the House has agreed to the second reading of the Bill we should attempt at this stage to arrive at a sensible amount in respect of exemptions. I consider that £300 is too much.

The Hon. G. C. MacKINNON: One point raised by the hon. Mr. Heenan was that the process of execution could be applied to the poorer classes. If after examination of the evidence a magistrate orders a debtor to pay up, and the debtor cannot, he can be sent to gaol. Surely the issue of a warrant of execution is a more humane method to deal with such debtors. We should establish the circumstances in which some people become poor. Generally the creditor knows the financial standing of his debtor, and if the latter has no money the creditor does not generally take out a garnishee order because the furniture of the debtor is probably purchased on time payment.

Regarding the provision covering the issue of a warrant of execution, if the debtor is a poor person invariably the warrant is returned *nulla bona*. The only other recourse for the creditor is to take the case before a magistrate, who can order the debtor to pay up or be sent to gaol. I want to avoid such a situation, and to continue the existing procedure whereby a debtor can be given time to make payment.

It was made very clear by the hon. Mr. Heenan that this provision would apply to the poorer classes of the community who could be forced to pay up or be sent to gaol. I do not want any provision to be made which would enlarge the class of poor people in this State.

Reference was made by the hon. Mr. Willesee to the position of creditors. I would like to point out that often pensioners living in country towns perform odd jobs and earn up to the limit of £3 10s. a week. These people can find themselves in the position of creditors if they are not paid their wages. They should be able to recover the money owing as easily as possible. My main contention is that we should not extend the class of poor persons, who, if they do not pay up, can be sent to gaol.

The Hon. E. M. HEENAN: There are other ways of enforcing the payment of a judgment debt than by warrant of execution against the furniture and personal belongings of a debtor. The normal way is to bring such a person before a magistrate on a judgment summons. The magistrate examines him as to family obligations and earnings, and fixes a fair amount to be repaid weekly.

The Hon. H. K. Watson: On the basis of pay up or be sent to gaol.

The Hon. E. M. HEENAN: That is so; once the magistrate has made an order for payment. Invariably magistrates err on the safe side. They make an order after taking sworn evidence of the circumstances of the person concerned. If in the course of time the debtor is unable to continue the weekly payments he can apply to the magistrate to cancel or suspend the order.

I am dealing with warrants of execution which are issued against household furniture and effects. I consider that at least £150 of their value should be protected from seizure or sale. It was said that warrants of execution were frequently returned *nulla bona*; that is because people realise that it is not much use issuing them again.

Amendment put and passed.

The Hon. J. M. THOMSON: There has been a good deal of discussion on this matter and I do not want to prolong the debate. Therefore I move an amendment—

That the words "one hundred and fifty" be inserted in lieu of the words struck out.

The Hon. G. C. MacKINNON: I move—

That the amendment be amended by striking out the words "one hundred and".

The Hon. H. C. STRICKLAND: This is rather misleading. There is a way of doing things. I am not in charge of the Bill but the position is it should have taken its course. I, together with a lot of other hon. members, thought the object of deleting the £300 was to ensure that at least an amount of £100 was included, as was indicated by Dr. Hislop when he originated this proposal. For that reason I could not vote for the amendment on the amendment.

The CHAIRMAN: The reason that the debate was permitted was to allow members to make up their minds as to what words should be inserted in lieu of those struck out.

The Hon. A. F. GRIFFITH: We should get this perfectly clear. The reason I came forward with the suggestion that we should first delete £300 was that there were three amendments before the Chair at the time. One was to delete £300; another was to insert a different figure and the third was another amendment.

We are back to the same rather ridiculous situation and I do not want to make it more ridiculous. I therefore intend to move a further amendment that the amount be £100.

The Hon. G. C. MacKINNON: I thought that I would simplify the position by saying nothing about the figure I proposed to insert, and I gave no indication as to

what I had in mind. If the Minister for Railways received the impression that he said he received, he did not get it from me.

The Hon. F. J. S. WISE: Mr. Chairman, is not the position that the amendment on the amendment moved by the hon. Mr. Thomson will be put first, so that we will have an opportunity of endorsing or rejecting the figure of £100?

The CHAIRMAN: Yes. The amendment on the amendment must first be disposed of. We now have notice of an amendment to the amendment on the amendment.

The Hon. A. F. Griffith: If you, Sir, cannot take my amendment, I suggest you cannot take the previous one.

The Hon. G. C. MacKINNON: It is obvious that it would be much easier if I altered my amendment so that it read "delete 'and fifty'," as that appears to be the desire of one or two of my friends opposite. I therefore ask leave to withdraw my amendment.

The CHAIRMAN: I think that would be the way out.

Amendment on amendment, by leave, withdrawn.

The Hon. G. C. MacKINNON: I move—

That the amendment be amended by deleting the words "and fifty."

The Hon. E. M. HEENAN: I would just say this final word. I hope that the hon. Mr. MacKinnon's amendment will be defeated. That will leave the way clear for the adoption of the hon. Mr. Thomson's figure of £150, which I think any fair-minded person who has listened to the debate must agree is the more reasonable and equitable amount, and more in keeping with the present outlook which should be taken on this matter.

The Hon. H. K. WATSON: If this amendment is carried, the effect of it will be the goods are exempt up to the amount of £100. During the last couple of days I have had a discussion with a citizen of Perth who is greatly experienced in these matters. He has given his opinion that if the exemption is more than £100, the relevant part in the whole process of the warrant of execution will, for all practical purposes, become obsolete and inoperative, and—

The Hon. G. C. MacKinnon: That is what I have been trying to say.

The Hon. H. K. WATSON: —he has suggested that if we are going to leave any sense in the Act, £100 should be the limit.

The Hon. E. M. HEENAN: I feel constrained to say that that person's outlook and logic would hardly hold water. If the effect of inserting the figure of £150 is going to have such dire consequences and the figure of £100 is not, it does not

make sense. The difference represents perhaps the value of one wardrobe. I hope the House will stick to the figure submitted by the hon. Mr. Thomson.

The Hon. G. C. MacKINNON: I thought there had been enough discussion on this subject. The figure just quoted shows where valuations have got to. One can buy a brand new wardrobe for £50; you have it for a week and are lucky to get £30. An average wardrobe in a house which is completely furnished, under terms, for £350—which is possible these days—would cost £25, for which one would be lucky to get £10 secondhand. Let us think about these valuations.

The Hon. F. J. S. WISE: I move—

That the question be now put.

Motion put and passed.

Amendment on amendment put, and a division taken with the following result:—

Ayes—9

Hon. C. R. Abbey	Hon. J. Murray
Hon. J. Cunningham	Hon. H. K. Watson
Hon. J. G. Hislop	Hon. F. D. Willmott
Hon. G. C. MacKinnon	Hon. A. F. Griffith
Hon. R. C. Mattiske	(Teller.)

Noes—13

Hon. G. Bennetts	Hon. H. C. Strickland
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. E. M. Heenan	Hon. J. M. Thomson
Hon. G. E. Jeffery	Hon. W. F. Willsee
Hon. L. A. Logan	Hon. F. J. S. Wise
Hon. A. L. Loton	Hon. E. M. Davies
Hon. H. L. Roche	(Teller.)

Pairs.

Ayes.	Noes.
Hon. L. C. Diver	Hon. G. Fraser
Hon. A. R. Jones	Hon. R. F. Hutchison
Hon. C. H. Simpson	Hon. F. R. H. Lavery

Majority against—4.

Amendment on amendment thus negatived.

Amendment put and passed.

The Hon. J. M. THOMSON: I move an amendment—

Page 2, line 29—delete the words “one hundred” and substitute the words “fifty”.

Amendment put and passed.

The Hon. J. M. THOMSON: Will “household effects” cover sewing machines for domestic use?

The Hon. E. M. Heenan: Yes, I think a sewing machine would be included in that category.

Clause, as amended, put and passed.

Title—agreed to.

Bill reported with amendments.

ELECTORAL ACT AMENDMENT BILL.

In Committee.

Resumed from the previous day. The Hon. W. R. Hall in the Chair; the Hon. A. F. Griffith in charge of the Bill.

Clause 3—Section 95 amended (partly considered):

The Hon. H. C. STRICKLAND: I move an amendment—

Page 2, line 7—Delete the passage “by deleting subsection (8)” and substitute the following:—

as follows:

- (a) by inserting after the word “institution” in line two the passage “(other than a hospital)”; and
- (b) by deleting from line two the passage “or is a patient in a hospital”; and
- (c) by deleting from line three the passage “or hospital”.

We reported progress on Clause 3 last night, with the object of framing an amendment suggested by the hon. Mr. Watson, in order to clarify the position regarding hospitals, as distinct from institutions, which might be prescribed under the Act. This amendment is satisfactory to both the Minister for Justice and the Electoral Department.

The Hon. A. F. GRIFFITH: I must remind the Committee of the words used by the Chief Secretary when introducing last year's measure. He said the object of the Government was to bring the question of postal voting as nearly as possible and as nearly as practicable into line with the Federal system, or words to that effect, but this measure does not do that. Last night the hon. Mr. Logan said that, under the Federal system of postal voting, no one could go into a hospital and take a vote. That statement was not correct, because I have checked and found that there is nothing under the Federal Act to prevent a person going into a hospital or an institution and taking a vote.

The only prohibition in the Federal Act in that regard is written into this measure, where it says that a person shall not persuade or induce an elector to complete an application for a postal vote. The penalty involved is well placed in both Acts. When perhaps an elderly person is in hospital, it will be all right, if we agree to the amendment, for any person, whether a relative of the inmate or not, to go into the hospital and fix up the application for a postal vote and attend to the subsequent needs of posting or delivering the actual ballot paper contained in the envelope; but if that hospital inmate is discharged and goes to “Sunset”, for instance, he is immediately forbidden the services that a member of his family would like to render him in this regard. That is unreasonable, because I can see no difference in the circumstances involved. If I could be convinced that there was a difference between the two situations, I would accept

the amendment, but there is no difference. Under the Federal system there is no difficulty at the present time. Let us consider the position at St. John of God Hospital, where the trouble occurred during the last Legislative Council election, and where the Electoral Department could not get any responsible person to attend to the wants of the people in that hospital, as the Minister said—

The Hon. H. C. Strickland: I did not say they could not get any responsible person.

The Hon. A. F. GRIFFITH: The Minister said they could not get anybody to attend to the wants of the patients and the Electoral Department had to send somebody out there.

The Hon. H. C. Strickland: Their own responsible officers.

The Hon. A. F. GRIFFITH: What is the use of quibbling? The point is that no one there could get a vote, just as, on the other side of the river, in a certain hospital no one could vote, because nobody had been appointed as the responsible person. The Minister has admitted that there was difficulty on that occasion in regard to postal voting.

The Hon. H. C. Strickland: Agreed.

The Hon. A. F. GRIFFITH: There is no difficulty under the Federal system—

The Hon. H. C. Strickland: What is the Federal system?

The Hon. A. F. GRIFFITH: It is the same as this. There is the application form which the person requiring the postal vote, or sick vote as it is commonly called, fills in and it is competent under the Federal system for any qualified person to go wherever he is asked to go and get that form completed—

The Hon. L. A. Logan: Without persuading or inducing.

The Hon. A. F. GRIFFITH: There is a penalty attached to that; and it also applies if one goes to the door of a house and persuades or induces. However, if one went to the door of a dwelling and said to some sick or aged person, "Would you like me to make arrangements for you to have a postal vote, because I appreciate that you will not be able to go to the polling booth," that would be simply offering a service, whereas persuasion or inducement is a different matter. Hon. members in this Chamber were told last year that it was the Government's desire—in the words of the Chief Secretary—to make this system the same as the Federal one. If we delete Subsection (8) we will have the same system operating as that which operates in the Commonwealth sphere.

The Hon. H. C. STRICKLAND: Mr. Griffith is making quite a lot of what the Chief Secretary said when he introduced similar legislation to this. Quite rightly

so, because the Government desired to make it compare with the Commonwealth Act as far as possible. But surely the hon. member does not claim that the Commonwealth setup is perfect.

The Hon. A. F. Griffith: Did I say that?

The Hon. H. C. STRICKLAND. No. I said, "Surely the hon. member does not claim that." I have heard a great deal of comment on the Commonwealth system, particularly in the metropolitan area in recent years, following elections. Nevertheless, the Government considers that there is a fault in that system where canvassers are permitted to enter institutions at will. The hon. member wanted to know what was the difference of a canvasser interviewing an inmate of an institution and an inmate of a hospital. He cites the case of a person who comes out of hospital and enters an institution immediately. He asked why the relatives could not look after that person in an institution just as well as they could if he were in a hospital. I doubt whether those who are committed to a home for the aged, for instance, have many relatives who visit them.

The Hon. A. F. Griffith: If that were so, it would not apply.

The Hon. H. C. STRICKLAND: It is considered that it is not fair to any of those people who reside permanently in institutions that they should be subject to being interviewed by canvassers and the sponsors of various candidates. We consider that the controllers of those institutions have supervised the system quite satisfactorily over the years so far as the inmates of Sunset Home, for example, are concerned.

The Hon. A. F. Griffith: That is what I said.

The Hon. H. C. STRICKLAND: The Minister is prepared to go part of the way with the hon. member as far as hospitals are concerned. There will be no mistake and I thought the position was made quite clear in the amendment we framed to this legislation. That amendment was approved by the Minister's department and that is as far as the Minister is prepared to go.

The Hon. L. A. LOGAN: Last night I referred to the fault in this system inasmuch as any person who took ill five days prior to an election would be debarred from having a vote. It was then I suggested that an officer of the Electoral Office could be appointed to carry out this task. If that were done I would be prepared to support Mr. Griffith's amendment. This discrepancy exists in both the State and the Commonwealth electoral spheres. I should imagine that Sunset would have a polling booth within the grounds of the institution and therefore postal vote facilities would not be required. The same

would apply to many other institutions, no doubt. We have one which is situated on the banks of the Chapman River. During an election a polling booth is set up there and 90 per cent. of the patients poll their votes at that booth. That is the correct way to vote, rather than to make a vote by post.

However, there does come a time when there are a few people who require to avail themselves of the postal vote facilities. On many occasions hospital patients have found that it is too late for them to obtain an application form for a postal vote. I remember during one election we took some patients, clad only in their dressing gowns, to the polling booth by car in order that they might record their votes. That is the sort of thing we should endeavour to overcome, and it could be effected by the employment of an officer of the Electoral Office being appointed to approach hospital patients to record their postal votes.

The Hon. G. BENNETTS: I found no trouble in any part of my district in regard to postal votes recorded in hospital. At Kalgoorlie two members of the hospital staff were appointed to gather up the application forms that had been filled in. These forms were then taken to the clerk of courts who issued the ballot papers and, as a result, everybody was able to record their votes. The same applied at St. John of God Hospital at Kalgoorlie and at the Merredin and Bruce Rock hospitals. I might state, however, that I am not in favour of the present system. I think the old procedure was the best.

The Hon. A. F. Griffith: You supported it.

The Hon. G. BENNETTS: Yes, but I am sorry I did. I think if the Chief Electoral Officer took charge of the postal votes it would prove to be quite satisfactory.

The Hon. A. F. GRIFFITH: From the explanation given by the Minister, it seems to me that unless we are prepared to accept the amendment, this Bill will suffer the same fate as the turkey who got the axe dropped on its neck. So adopting the view that half a loaf is better than none, I propose to support the amendment.

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

Title—agreed to.

Bill reported with an amendment.

HEALTH ACT.

Disallowance of Fire Guards Regulation.

Debate resumed from the previous day on the following motion by the Hon. G. C. MacKinnon:—

That Regulation No. 12, made under the Health Act, 1911-1956, as published in "The Government Gazette"

on the 20th November, 1957, and laid on the table of the House on the 26th November, 1957, be and is hereby disallowed.

THE HON. L. A. LOGAN (Midland) [10.12]: The disallowance of this regulation will, in effect, mean that those picture theatre proprietors who avail themselves of the services of a volunteer fireman as a fire guard, will no longer be able to employ him, but, in his place, will employ a fire guard. The question to decide is whether the fire guard will be performing the same duties in that theatre as a volunteer fireman in another theatre. If one were to compare the duties of the two men, by and large, it would be found that they would be identical.

In most theatres—where a fire guard only is employed—very few of these men are doing the work in the manner prescribed. In an endeavour to do away with the volunteer firemen, they are trying to operate in the same manner as some of them are operating today where the fire guard is performing his duties unsatisfactorily. It has been stated that picture theatre proprietors can call upon the services of one or more of their employees to serve as a fire guard provided that such employee passes the test prescribed by the central fire brigade.

However, the question is: What type of permanent employees are these theatre employers using as a fire guard? It has been suggested to me that the theatre manager can be appointed as a fire guard. Very often a manager is in control of two theatres so if he is appointed as a fire guard and has to travel from one theatre to another he must leave at least one theatre without a fire guard being in attendance. Again, if the person in charge of the ticket box is called upon to act as a fire guard, what possible chance would he, placed at the outside of the theatre, have of safeguarding the inside of that building? We cannot make a fire guard of the operator upstairs; and I am sure it is not our intention to make fire guards of the usherettes.

This leaves the doorkeeper. To a certain extent he could do the job before he starts taking the tickets. He could inspect the building, the exits, etc., and having done that he could be available at the door to collect the tickets as the patrons go in. Then, between the time they go in and the interval, he could do a tour of the building and be present during the interval to hand out checks to people who leave the theatre. When the show is resumed he could carry out another tour of inspection, and remain on duty until the people had left the theatre, with a view to making a quick check to see that everything was all right.

But the volunteer firemen are doing all that today. By doing so I would say that they are saving the theatre people, who are

the employers, the employment of salaried or permanent officers. It obviates the necessity for holiday pay and long service leave, and it is surprising that members should quibble at these people being paid 25s. per night. It would be preferable to have a volunteer fireman in all the theatres. The inflammability of film is not the only reason for the appointment of fire guards in the theatres. That is only incidental. The main thing is that it is necessary to have someone in control in case a fire breaks out.

The Hon. G. C. MacKinnon: Would that apply at a ball?

The Hon. L. A. LOGAN: The two are not comparable. In the case of a ball we have open spaces where people are able to move about, but in a darkened theatre the space is restricted, and it is an entirely different story. For the safety and benefit of the public it is not too great a price to pay to have a fireman on duty. I would prefer to see the fire guards do exactly the same duty that is done by the firemen. I am certain that the fire guards are not doing what is required of them under the regulations. They certainly have not done so at the theatres I have attended.

The hon. Mr. MacKinnon tried to draw a parallel in relation to a group of shops on the foreshore paying £1 into a surf club. I think that is stretching the imagination a bit. It is an entirely different proposition. We are also told that the theatres are suffering a recession, and that they are not doing very well. Might I remind members of what Michael Bergher, Vice-President of Columbia Pictures International Corporation, had to say according to yesterday's issue of "The West Australian." The report states—

The motion picture industry had not been adversely affected by television. Any drop in business had been caused by a world-wide economic recession. This had been overcome.

Surely a man in his position should be able to utter the condition in which the motion picture industry is today! If there has been a recession I would say that it would be bound to come with the natural recession all over the world at present, particularly when we consider that an amount of £260,000,000 is tied up in hire purchase agreements. This surely means that people cannot afford to go to pictures while at the same time having this debt around their necks. Apart from this, today people travel the length and breadth of the country. One has only to motor down the roads during the school holidays to see the extent to which people do travel. It is something they did not indulge in in the past. Today there is a diversity of amusements to occupy their spare time, whereas a few years ago the picture-theatres were the sole means of their enjoyment. Accordingly it is natural that there will be an easing-off in theatre attendances.

It has also been said that the drive-in theatres have affected the theatre game. That is possible, but many owners of city theatres are also owners of drive-in theatres; they cannot have it both ways. I was a member of the volunteer fire brigade team that took part in the 1929 celebrations held at Loton Oval. I can assure members that this is one of the finest organisations we have. From what has been said to me I know that there is no intention of doing anything to belittle it. It has been said that if the amount contributed for fire duty were taken away it could be made up in some other manner.

The point I want to make is that this would be breaking down the entire essence of the movement, because these people believe in giving the service they do. They give up their nights to do duty at picture-theatres; it is all part and parcel of their training as volunteer firemen. It is a service they render to the community, and the fireman considers it a service to the organisation to which he belongs. He knows that in 12 months' time there is likely to be a fire brigade demonstration somewhere in the State, and that his team will be taking part. If we take away the possibility of their attending those demonstrations we will lose our volunteer fire brigades; they will certainly deteriorate. We should not do anything to lessen the value of this organisation. I was one who frequently did duty at picture theatres.

The Hon. A. L. Loton: You got a free show.

The Hon. L. A. LOGAN: In reply to that interjection I would say that if one did one's duty properly one did not see the entire picture but only portions of it. The Minister said that smoking at the theatre is one of the few practices that a fireman must stop. The very fact that there is a man in uniform walking around the theatre is a great deterrent to anybody who wants to smoke. I have had experience of that. The Minister did not tell us what else he did in the theatre.

The Hon. H. C. Strickland: I chewed gum.

The Hon. L. A. LOGAN: For the benefit of the community it is essential that members of volunteer fire brigades continue to give the service they do in attending theatres and receiving 25s. a show, which is immediately paid into their local funds. It has been said that some of these people think it beneath their dignity. There may be one or two such cases but this practice has endured for a long time—certainly since before 1929—and it still applies. That seems to prove that there are many who are still anxious to carry out this duty to the community and to their organisation. Anomalies may exist, and I do not say there are none, but I do not think this is the correct way to

iron them out. I have been approached by Mr. Yelland, as have other members, and asked to support the disallowance of these regulations. On the other hand, I have also been approached by the volunteer fire brigades, and also the central organisation, to permit them to continue giving the services they are at present rendering.

The Hon. A. F. Griffith: To whom do you refer when you say the central organisation?

The Hon. L. A. LOGAN: The Volunteer Fire Brigades Board, which represents the 40 fire brigades in Western Australia. So, when we receive requests from the central organisation, and from the fire brigades themselves, to permit the regulations to remain, we should take some notice of the requests. I believe it would be far better to employ firemen than fire guards, because it is easy for the latter to dodge the standards laid down in the regulations. For my part, I would prefer to have a volunteer fireman, and I accordingly oppose the motion.

THE HON. G. BENNETTS (South-East) [10.29]: I am surprised that hon. members should move to have these regulations discontinued. Volunteer firemen are playing an important part in this State. We hear a lot of talk about forming youth organisations, etc., to enable the young people to occupy themselves in their spare time, and yet we are now trying to close one such avenue to them. In the parts I represent the volunteer fire brigades are doing a magnificent job. The North Kalgoorlie Fire-Brigade has proved to be a great attraction to young fellows who spend their spare time in training and learning to run up and down ladders. They are also employed in reel work on land provided by the Kalgoorlie Municipal Council. These lads are putting in a lot of exercise of an evening and are keeping out of trouble which they could get into if these organisations were not in being.

The Hon. G. C. MacKinnon: Do you think they are more worthy than, say, a surf club?

The Hon. G. BENNETTS: They are both good organisations which are doing a wonderful job.

The Hon. G. C. MacKinnon: Do you think we should give the surf clubs as much money?

The Hon. G. BENNETTS: If they put forward a proposition I will support them. They are a wonderful association. On the Goldfields and throughout my electorate—which is quite large—I have received no complaints from any of the picture theatre owners regarding the payment to these people. In those parts they are proud of their fire brigades. Merredin has a good volunteer fire brigade which takes part in demonstrations. There are also good brigades at Bullfinch, Southern

Cross, Lake View and Star, South Kalgoorlie, North Kalgoorlie and Norseman. The brigade at Norseman is very outstanding and has been for years. It is training quite a lot of youths. About 50 or 60 lads can be seen there each evening doing their training. This keeps them out of mischief because there is nothing else for them to do but attend the volunteer fire brigade.

I suppose there would be about six firemen who are paid in the fire brigade, and they depend upon the services of the volunteer men if a fire breaks out. The paid man takes out the reel or the machine, but the main staff comes from the streets in the form of these volunteer fire brigade chaps. If it were not for the fire brigades a lot of vandalism would take place, because it is astounding how boys and girls play up in picture theatres. These chaps are continually on the lookout for this sort of thing. Although it is only natural that kids will be kids, these volunteer fire brigade lads are able to keep them well under control.

The owners of our theatres are quite convinced that these chaps are doing a good job and they do not want their services cut out. I have not been approached in regard to metropolitan theatres—perhaps because I am a Goldfields representative—but new picture theatres and drive-in theatres are being constructed, and it stands to reason that the population is not sufficient to crowd them out. For this reason their revenue has probably dropped, but I would not say that they are losing. Their overhead costs are not that high, and it is unlikely that they will lose on the present entrance prices.

The Hon. A. F. Griffith: Which ones are paying?

The Hon. G. BENNETTS: I do not know all the modern theatres.

The Hon. A. F. Griffith: Which ones?

The Hon. G. BENNETTS: I would say any one.

The Hon. A. F. Griffith: Of course you would!

The Hon. G. BENNETTS: When I have spare time in Perth I do not wander around the streets, but go to a picture theatre, and there is always a fair attendance, provided the show is suitable. Of course, people will not attend if they show rubbish. However, because they do show rubbish, they want to do without the fire brigades. I hope this House will not agree to the disallowance of these regulations.

THE HON. J. D. TEAHAN (North-East) [10.35]: I wish to protest against any interference with these regulations as they exist, because the volunteer fire brigade movement is strong on the Goldfields. We have two theatres in Kalgoorlie and one in Boulder, and it is a

regular sight to see well-trained and well-uniformed volunteer firemen in attendance. I think it is an indisputable fact that over the years these theatres have been conducted there has not been a fire in any of them. That has not been due to accident; it has been brought about by the fact that these men who are trained and are in uniform do their job properly.

These chaps patrol the theatre before a show starts, they examine the doors, examine exits, and patrol the place while the show is in progress. As against that, the fire guard is not in uniform and he is not trained as well as those in the volunteer fire brigades. He does not train for love; he trains because it is part of his job as a doorkeeper; and he does not make the same efficient officer as the volunteer man. We have become accustomed to seeing this officer over the years and I know from experience that the mere fact he is in uniform has a restraining influence on the youth in the theatres.

THE HON. J. J. GARRIGAN (South-East) [10.37]: I rise to oppose this motion. I was rather surprised that an hon. member representing a country electorate would move to disallow these regulations.

If we take our minds back many years we find that these volunteer fire brigades have given grand service to Western Australia; they probably did so long before we had permanent fire brigades, and possibly when the hon. Mr. MacKinnon was a boy. In places like the Murchison and Norseman, where there is no water, these men have done a wonderful job.

This motion has been brought forward simply because today the men receive a miserable pittance of 25s. As mentioned by the hon. Mr. Logan and the hon. Mr. Teahan, the mere fact that they are in uniform has a psychological effect in the matter of keeping order. Because they are in attendance, we do not have to put up with an undesirable element which smokes or disregards the general set-up of the theatre.

The Hon. G. C. MacKinnon: Would you call £10 per week a pittance?

The Hon. J. J. GARRIGAN: I would say that 25s. per night was not much for working for four hours. They do not get the money; it goes into a fund to provide young firemen for the future.

The Hon. H. K. Watson: I hope it goes in their income tax returns!

The PRESIDENT: I hope the hon. member will address the chair so there will not be so many interjections.

The Hon. J. J. GARRIGAN: In Bullfinch they perhaps have pictures only once a week in the dance hall. As Mr. Bennetts said, if their turn-over is not big, they can pass an additional amount on to the general public.

I oppose the motion to disallow these regulations and support and commend Mr. Logan for his very fine speech.

THE HON. A. F. GRIFFITH (Suburban) [10.40]: At the outset I want to make it perfectly clear that I have no criticism whatever to offer in regard to the volunteer fire brigade organisations. I have a number of them in my electorate and know something of the work they do. Therefore, I am sorry to see that an attempt has been made by some hon. members to interpret the motion as criticism of the members of the volunteer fire brigades. That is so wrong.

The Hon. G. C. MacKinnon: It is the only way they can put up an argument.

The Hon. A. F. GRIFFITH: Of course it is. The knowledge the hon. Mr. Bennetts displayed of the situation was lamentable to say the least of it. He says he goes into a picture theatre when he has nothing else to do; and when I asked him what theatres are employing these people, he said he did not know any of them. That is a lamentable state of affairs. He put up a poor argument as to why these regulations should not be disallowed.

I wish to inform the hon. member that none of the picture theatres in the city area employs volunteer firemen whatsoever. The reason that they do not do so is because of these regulations which this Government introduced into Parliament.

The Hon. J. J. Garrigan: They have permanent firemen present—

The Hon. A. F. GRIFFITH: The hon. member had his say. That is the situation. On the 20th November, 1957, the Government gave notice of these regulations in the "Government Gazette." Nobody will deny that. The regulations set out the conditions under which certain people shall be employed, and in the case of volunteer firemen the regulations state that where there is a volunteer fire brigade a volunteer fireman shall be employed. He does not receive this money which was referred to by the hon. Mr. Garrigan as a—

The Hon. J. J. Garrigan: Pittance.

The Hon. A. F. GRIFFITH: I think the hon. member referred to it as a scab wage. The volunteer fireman does not receive a penny of the money.

The Hon. J. J. Garrigan: I know it goes into the fund.

The Hon. A. F. GRIFFITH: It is not a wage. The regulations provide that the volunteer fire brigade organisation shall receive 25s. for the service the man renders.

We know that prior to the introduction of these regulations in November, 1957, there was a test case and the court ruled that the volunteer fireman did not have

to be paid. I am informed that the immediate result was that the attendance of the volunteer firemen fell completely away.

The Hon. G. E. Jeffery: Whereabouts?

The Hon. G. Bennetts: Where to?

The Hon. A. F. GRIFFITH: I am not going to say.

The PRESIDENT: The hon. member should not take any notice of interjections.

The Hon. A. F. GRIFFITH: I am not going to say whether it was Bassendean or anywhere else—I do not get caught that easily. I will just say that the attendance fell away. The Chief Secretary (the hon. Gilbert Fraser) was credited with saying, "We will get you fellows back into the picture theatres as soon as we can." But it is interesting to see the attitude of the Fire Brigades Officers Union, which is affiliated with the A.L.P. It says it does not want a bar of that. I do not say that at all.

The Hon. G. E. Jeffery: I do not say that either.

The Hon. A. F. GRIFFITH: No one would be in a better position than Mr. Jeffery to know, because of the position he holds. Privately I would like to show him a letter I have; and I shall afterwards show it to him privately. I do not hold that view, but what I do hope the House appreciates is the grave anomaly that exists because of the way the regulations are framed. As part of the regulations which the Government brought down, a certificate is included. When I have read the certificate, it will surely dispel any suggestion that the volunteer fire guard is not competent, because under the regulations he cannot get a certificate unless he is competent. That argument must surely fall to the ground. This is the certificate—

HEALTH ACT, 1911.

CERTIFICATE OF COMPETENCY TO BE APPOINTED FIRE GUARD

This is to certify that....., is competent to discharge the duties of a Fire Guard in accordance with the provisions of Part 1B of the regulations relating to Fire Precautions in Public Buildings made under the Health Act, 1911, as amended, and which were published in the "Government Gazette" on the 25th February, 1916, and amended from time to time thereafter; and the said..... is hereby authorised to accept employment as a Fire Guard in any theatre or cinema hall (other than one which is situated within a locality which is served by a Volunteer Fire Brigade established under the provisions of the Fire Brigades Act, 1942 (as amended).)

This Certificate shall cease to have force or effect if any condition specified overleaf is not complied with.

Dated this 4th day of July, 1958.

(Signed) Linley Henszell.

Commissioner of Public Health.

CONDITIONS: This Certificate shall be liable to be cancelled by the Commissioner if the person to whom it is issued:—

- (a) Falls in any duty imposed upon him by the Health Act and the Regulations made thereunder.
- (b) Is found to be incapable of discharging his duties efficiently.

There is no doubt that the Government, when introducing regulations of this nature, intended to prescribe a certificate of competency to be issued to a man who was competent to seek employment as a fire guard in any theatre or cinema hall. But when it comes to a volunteer fire brigade being in the locality, the regulations say, "You must employ a volunteer fire brigade organisation man". What happens at Midland Junction? In that town there is a volunteer fire brigade and there is also a permanent fire brigade. I am informed that the volunteer fire brigade sends its man along just the same. Despite the fact that the theatre in Midland Junction has men who hold this certificate of competency, they say, "We want our 25s. appearance money for the night." What is happening over that, I am not sure, but I think some questions are going to be asked, legally, as to whether the theatre operator must pay.

I am informed that at Midland Junction an agitation took place by the people of the district. They requested the W.A. Fire Brigades Board to provide a permanent fire station in the area because, they said, the population and conditions warranted one; and they do. The Fire Brigades Board, in its wisdom, decided to provide a permanent service so the people got that service, but they still have the volunteer fire brigade members in the area.

Grave anomalies exist in this case. A man who is certificated in accordance with the form I read out, is employed as a rule by the theatre operator. That is part of the organisation. He has, in his make-up, a desire to serve the man who is employing him, and he has an interest in the theatre business in which he is employed. In accordance with the certificate of competency he carries out the work that he is required to carry out in his daily or nightly avocation. He is a competent individual. If he is not competent, then the Commissioner of Public Health takes his certificate from him. He does that under the regulations which were tabled in the House by the Government.

If we have a look at the situation regarding the W.A. Fire Brigades Board, we will see that up to the 30th September,

1957, the cost of maintaining the board was £385,000. Inquiries that I have made reveal that the cost of maintaining the board is rising in the vicinity of 12 per cent. to 15 per cent. each year. As the hon. Minister said to me in reply to a question tonight, the cost is absorbed as to 2/9ths by the local authorities; 2/9ths by the Government; and 5/9ths by the insurance companies.

If next year the costs happen to be £10,000 more than they are this year, there is not much question as to who will pay them because those costs would be handed on to the parties concerned in the fractions I have mentioned. They would be met by the people who have been meeting them over the years.

The Hon. G. C. MacKinnon: That would be quite equitable.

The Hon. A. F. GRIFFITH: But it is not equitable at present because just a small section of the community is paying the lot. Let us appreciate that this burden is being met by only a few. I say to Mr. Bennetts that it is not being met by those people who run picture theatres in the city block; and it is not being met by those who run picture theatres where there is a full-time fire brigade organisation. It is being met totally by the picture theatre exhibitors where there is a volunteer fire brigade. Most picture exhibitors do not say that the volunteer fire brigade man is worth anything less than his value. But they object and I think rightly so—or the section that is bearing the cost objects—to the fact that these few only are bearing the total cost.

My attitude to the problem is this: If the Government will face up to the fact that the volunteer fireman is a necessary part of any fire protection organisation—and I agree that he is—and the Government will accept its responsibility of paying him out of fire brigade revenue, then there would be no quibble by anyone.

In these circumstances the man who performs the service will be paid out of fire brigade funds; and heavens knows there are plenty of them—£385,000 last year. This means that some equity will attach to the whole matter, but there is no equity attaching to it at the moment.

The Hon. G. C. MacKinnon: It would put the volunteers on a stable basis.

The Hon. A. F. GRIFFITH: It would. I repeat that the attitude of some members seems to be one of direct criticism of Mr. MacKinnon for moving this motion because, they say, he is trying to destroy the volunteer fireman. That is not right. He is merely trying to sort out an iniquitous position which exists at present. It is high time that the Government should be prepared to say, "We will face up to our obligation in this matter and will not leave one tiny section of the community to foot the bill."

The Hon. H. C. Strickland: What do you call a tiny section? How many would there be?

The Hon. A. F. GRIFFITH: How many motion picture exhibitors would there be?

The Hon. H. C. Strickland: You just said "a tiny section."

The Hon. G. C. MacKinnon: There are two out of 11,000 in Bunbury.

The Hon. A. F. GRIFFITH: The motion picture exhibitors are carrying the cost.

The Hon. H. C. Strickland: Does that mean there are two in the State?

The Hon. A. F. GRIFFITH: I do not know the exact number. I have a couple in my electorate and there are one or two in Kalgoorlie. There is one in Bunbury. They do not amount to too many, but the cost is not shared by the whole industry, but is borne by a small number of the exhibitors in the State.

The Hon. L. A. Logan: It would be shared by them all if there were volunteers in every area.

The Hon. A. F. GRIFFITH: Yes. This brings me back to the point that the Government is aware that there are not volunteers in every area. It knows this is so because of the type of regulation it has brought down.

I do not want to labour the question any more, but I make an appeal to members to disallow the regulation not, I repeat, to do any damage to the volunteer fireman—on the contrary—but to give an opportunity to put him on a more equitable basis than he is on at the moment, bearing in mind the question which the hon. Mr. MacKinnon asked the Minister some days ago. The hon. member asked the Minister this question.—

Will the Minister agree to confer with the interested parties with a view to correcting the anomalies created by the regulations so as to provide justice to the areas at present adversely affected?

This was a simple plea by the hon. member who was asking the Minister to see these people in order to try to work out some equitable arrangement between all the parties. The motion picture exhibitors are anxious that these difficulties be sorted out, but the Government, through the Minister, says, "No, we will have no truck with them."

The Hon. H. C. Strickland: He has met them, though.

The Hon. A. F. GRIFFITH: Yes, but a long time ago. He says, "These people are carrying this burden. Let them continue to carry it." If the regulation is disallowed, it will provide an opportunity to find a better basis of settlement between the motion picture exhibitors and

the fire brigade volunteers. I repeat once more that the motion has been moved with only that end in view, and not, as has been represented so wrongly by some people, with the desire to do damage to this organisation.

THE HON. G. E. JEFFERY (Suburban) [10.59]: I rise to oppose the disallowance of the regulation. I must confess a great amount of water has flowed through the hydrants since the hon. Mr. MacKinnon moved the motion. I am not critical of the hon. Mr. MacKinnon because, frankly, I do not think he has been told a lot of things that he should have been told. The one thing that has threaded itself throughout everyone's comments on this debate has been that nobody wants to see any damage done to the volunteer fire brigades; everyone admires their work.

In his speech the hon. Mr. Griffith said that the theatre proprietors are fully aware that the volunteer fireman is worth the money that is paid to him. Later on in my comments I shall read some letters and tell hon. members some of the things that are going on. To my mind it will convey a different impression to that given to the House by some previous speakers. I will show that at least one theatre proprietor has little appreciation of volunteer firemen. As we all know, a volunteer in any organisation is generally a pretty good sort of individual, particularly a volunteer fireman, and some of them have been killed in the execution of their duty. I instance one case which happened recently in Guildford, and hon. members might cast their minds back to other cases that have occurred.

Although no one wants to see the reputation of volunteer firemen damaged, some picture theatre proprietors, and I would say they are in a minority, are opposed to the payment of 25s. I would say that the payment of 25s. for the use of a fireman at a picture theatre is one of the first things that should be considered. We have been told that with the use of non-inflammable film there is no chance of a fire breaking out in a theatre these days. Unfortunately for the mover of the motion the day on which he moved it was not a very good one. On the 13th August, the Empire Theatre at West Leederville caught fire. It was reported to the brigade at 3.45 a.m., which was some three to four hours after the completion of a show, and the cause of it was unknown. The report stated that the damage to the building itself was slight but to the furniture and the flooring it was severe. I am aware, of course, that the people occupy the furnishings and their feet are on the floor.

Fires are pretty grim, and I think everyone knows that at big fires most of the loss of life has been caused by the panic which has occurred in addition to the ravages of the fire itself. When this disallowance motion first came up some

information was brought to my notice and I just could not believe it, living as we are in the 20th century—and more than half way through it. I wrote to the four volunteer fire brigades in the Suburban Province. Each of them has a very good record of service, and firstly I will read to the House the letter I wrote to these four brigades and then the replies I received from them.

Much has been said about the fact that in the city block theatres use fire guards and not volunteer firemen. I suggest that those theatres spend much more money on the prevention of fire, such as the installation of automatic sprinkler systems and so on, than they would if volunteer firemen were used. In addition, the Central Fire Station is in the city and it has modern equipment available for 24 hours of the day. Professional firemen are in close proximity to those theatres; and some of the suburbs such as Claremont, Leederville and South Perth are well served. A fire which broke out in the city could cause terrific damage and so it is necessary that these professional firemen be on duty.

The Hon. G. C. MacKinnon: What about Maylands?

The Hon. G. E. JEFFERY: There are permanent firemen at Maylands and at Victoria Park. At Cannington, Guildford, Midland Junction and Bassendean there are volunteer fire brigades. There are no volunteers at Maylands. So it will be seen that volunteer firemen work in some of the big centres of population.

As has been pointed out, some theatre proprietors are not happy about the fact that there are people who run picture shows but do not have fire protection. In most instances I think that is brought about by the sparsity of population. I would suggest that the analogy between firemen on duty, and the availability of fire protection, is somewhat akin to the installation of parking meters in the City of Perth. They are not installed in the outer suburbs because there the area is greater and there are not as many people to use the parking space available.

We talk about the money involved. I suppose there are some shipping companies that show a loss; at least the ferry which travels to South Perth shows a loss. But surely the life rafts and other appliances for the saving of life should not be tossed away simply because the ferry is showing a loss. As I said, I wrote to the four volunteer fire brigades in my province—they are situated at Cannington, Guildford, Midland Junction and Bassendean. I wrote the same letter to each and it reads as follows:—

I would be pleased if you could supply the following information:—

- (1) in what theatres do members of your brigade officiate as firemen on picture duty?

- (2) what are the names of
 - (a) the theatre manager and
 - (b) the theatre proprietor.
- (3) do cordial relations exist between your brigade and the theatre proprietor?
- (4) If not, give detailed reasons for this, and how long the position has existed.
- (5) Is your brigade prepared to perform picture duty in the future, as in the past?
- (6) Has there been any change in the attitude of your theatre proprietor since an effort was made to disallow certain fire brigade regulations last year?

Any further information that you consider would assist in assessing the present position would be appreciated. I would like this matter dealt with urgently and have your reply by Tuesday, 9th September.

The letter I received from the Cannington Volunteer Fire Brigade, reads as follows:—

In reply to yours of the 5th September re picture duties, duties performed at Canning Town Hall—

Mr. A. C. Lucas—Manager.

Lucas Pictures—Proprietor.

Queens Park Hall—

Mr. A. Buckie—Manager and Proprietor.

East Cannington Hall—

Mr. A. C. Randell—Randells Picture Circuit.

My brigade is happy to perform these duties and are only too willing to help the management in any way possible.

The management of each theatre accepts each fireman for duty and in each case the management is stricter in carrying out the regulations than before, otherwise everything is normal.

Hoping this information covers your letter.

That is signed by C. Treasure, Captain. So, hon. members will see that so far as the volunteer fire brigade at Cannington is concerned it serves three theatres, each conducted by a different proprietor, and the relationship between the proprietors concerned and the brigade is cordial. Coming a little closer to my home, the letter from the Midland Junction brigade reads—

I am pleased to be able to supply the following information in reply to your letter of the 5th inst.

- (1) (a) Town Hall pictures.
- (b) Renown theatre.
- (2) (a) Town Hall, V. Lucas proprietor and manager.

- (b) Renown theatre, Consolidated Theatres.

General manager R. Yelland, Theatre manager Mr. Tothill.

- (3) Town Hall yes. Renown no.
- (4) Mr. Yelland has refused the fire guard's permission to go on duty since 9th July for reasons known only to himself.
- (5) Yes.
- (6) The general manager of Consolidated Theatres Mr. Yelland has adopted a more or less hostile attitude to volunteer fire guards since taking over the theatre from the previous owner who was most considerate to all firemen on theatre duty. We have done our utmost to try for peaceful relations but this is well nigh impossible. Mr. Yelland refused to allow fire guards to wear their regulation uniform but for the sake of peace we presented ourselves for duty in civilian suits. Although it is now two months since Mr. Yelland has decided to defy all regulations concerning fire guards, it appears that little has been done and we would very much appreciate this matter being brought to light.

It is signed D. Payne, honorary secretary. These is a P.S. which reads—

Fire guards still present themselves for duty every night at Renown Theatre.

The Guildford Volunteer Fire Brigade wrote to me as follows:—

In reply to your letter of the 5th inst.—duty performed in the Regent Theatre, Guildford.

- (2) (a) Manager—Mr. J. McKay.
- (b) Consolidated Theatres—Mr. A. Yelland proprietor.
- (3) Cordial relationship does not exist between our brigade and the theatre proprietor.
- (4) (a) Now paid nightly, with 25 single shillings, whereas the old arrangement was by cheque, once weekly.
- (b) Forced to perform duties in civilian clothes instead of in brigade uniform.
- (c) Have to collect tickets and hand out pass-outs, as well as performing a fireman's duties.

All the above has been in operation since the introduction of the new regulations in January, 1958.

- (5) Our brigade is prepared to perform duty in the future, as prior to the introduction of fire guard regulations.
- (6) (a) The proprietor has at times tried to embarrass the fire guard as to his position in the theatre.
- (b) We consider the proprietor has tried to lower the prestige of the brigade by forcing members to wear civilian clothes.

That letter is signed by D. Kellow, Captain. Finally the Bassendean Volunteer Fire Brigade wrote to me—

I have for acknowledgment yours of the 5th inst. and thank you for your inquiries and in reply beg to advise you as follows:—

"A" The members of the brigade attend the Bassendean town hall.

"B" The manager of the theatre changes from time to time. The proprietor of the pictures being Consolidated Theatres, Mr. R. Yelland.

"C" Unfortunately cordial relations do not exist between the brigade and the proprietor.

"D" This position has been very pronounced since the last regulations were gazetted and I regret to advise that every obstacle is put in our way, for example in being paid each night we are given 25 single shillings as our payment. Further, on some occasions the show is commenced in the open air gardens but before long the show is transferred to the hall without the guard being notified. Further, each fireman on fire guard has to complete a form, in which he gives his age, whether married, and the number of children.

"E" My brigade is prepared to perform picture duty in the future as in the past.

"F" Unfortunately there has been a very decided change in the attitude of the proprietor since the new regulations have come into force. In fact every obstacle is placed in our way and it often happens that the fireman on duty is not even spoken to and if a fireman on fire guard attends the

hall in uniform, he is immediately sent home to change into an ordinary suit. This alone takes any authority from the fireman on duty. In fact, I reiterate the management do nothing whatsoever to assist us.

Thanking you for your interest in the case and wishing you every success.

That letter is signed by T. J. Gardiner, Captain. Those letters point out the position in the Suburban Province. There are four volunteer fire brigades servicing a total of seven theatres. Four of them are run on excellent lines and the relationship between the brigade and the theatre proprietors is good. But that is not the case with the Guildford, Midland Junction and Bassendean brigades, as the correspondence indicates. In every instance where the relationship has not been cordial the firemen have been paid 25 single shillings for each night they are on duty.

I would say that in that instance the proprietor is a victim of his own films and his mind would be a fit subject for a psychologist's couch. In some instances the theatre proprietors have tried to drive the volunteer firemen away by trying to make them appear ridiculous. They have allowed them to remain only if they are not in uniform, but their discipline has been such that they have been able to stand the humiliation and have remained, on duty without a uniform. I think that a fireman, like a policeman, can command more attention if he is in uniform, and everyone will agree that in an emergency a uniform seems to give a man the necessary authority. It is necessary for such people to wear uniforms if they are to carry out their duties in a satisfactory manner. The members of the three brigades whose history I know personally, perform their duties in a first-class manner, but they object to the childish feature of being sent along in civilian suits and being paid 25s. in single shillings per evening.

The question of the pay also arises and I suggest that, as the Bassendean letter sets out the facts about the forms having to be filled and ages given, it is done for taxation purposes. The fact is that volunteer firemen, because of the comradeship that exists among them, pool their pay in order to offset the expenses for attending demonstrations. Hon. members should not lose sight of the fact that, although their wages are pooled to meet the cost of attending demonstrations not every fireman goes to these demonstrations. Only those competing and the reserves attend. A very large number of firemen who perform these services and receive 25s. a night for their work do not receive any benefit at all because they do not attend demonstrations.

The Hon. G. C. MacKinnon: Are you sure they all pool their pay?

The Hon. G. E. JEFFERY: I can only speak of the four brigades of which I have intimate knowledge. If the gentleman concerned was appreciative of the services of the fire guards, as he would have us believe, why then did he behave in a childish manner? I suggest that was done to make the volunteer firemen rebel so that he could then complain there was a dereliction of duty. In this instance the firemen were treated in a cavalier fashion in being paid in 25 single shillings. Apparently his judgment of the psychology of the firemen was so poor that instead of grinding them down in the dirt, the treatment has had the opposite effect. The only person who is embarrassed by the payment being made in single shillings is the local bank officer. When the firemen bank their pay the staff has the job of counting the single shillings.

I agree that the regulations under consideration are not as good as they could be, but for the safety of the public it is essential that they stay as they are for the time being. If I had my way every volunteer fireman would attend to his duties in uniform. I have taken the opportunity in the last few days to examine the log book, but it is not worth the paper it is printed on. At this stage this House would be well advised to leave the regulations alone. By agreeing to the motion we will pander to the idea that we are giving the public some semblance of safety. A great number of theatres, town halls and such like have as great a fire risk today as they had in 1900. Despite the opinion of the gentleman referred to, who might be a fine lawyer, a great number of fire risks exist. On the 13th August last a fire occurred at the Empire Theatre which slightly damaged the building but severely damaged the floors and fittings.

I am strongly against any change in the present situation, and I am opposed to the motion to disallow the regulations. As I have said, I feel sure they could be tightened up. If I had my way I would tighten them up to enable the fireguards to perform their duties in uniform. Another matter arises: The insistence of the performance of duties in civilian clothes is to create in the public mind an impression that no firemen are present in the hall. In view of my remarks I shall vote against the disallowance of Regulation 12.

THE HON. G. C. MacKINNON (South-West—in reply) [11.20]: Hon. members should give some thought to this matter: If all voluntary organisations in this State were to stop, then the workings of the State would stop. There is no reason why any one particular voluntary organisation should be selected for preferential

treatment. No member who has moved in the way I have should be regarded as having so moved because of a dislike for an organisation in particular or all such bodies in general.

During this debate I have heard many words uttered but I have not heard one argument put up against the reasons I have advanced. I agree that the volunteer fire brigades do a good job. I am fully aware of that. Many stories have been told during this debate but not one has refuted my statement that some repertory clubs and motion picture theatres are paying from £10 to as low as £1 5s. a week for the services of the volunteer fire organisation. That is unjust. No member has answered the point. We have listened to a fair spate of speakers. Reference was made by the hon. Mr. Logan to fireguards and to the log books which he considered unsatisfactory.

The Hon. L. A. Logan: I did not mention log books.

The Hon. G. C. MacKINNON: The hon. member referred to the fireguards and the fact that they were not present all the time. I interjected about the log books. Since these regulations have been gazetted I know of one town where the fireman has not turned up during matinees. Invariably on one night of each week no fireman turns up.

Mention was made by the hon. Mr. Jeffery about the manager of a theatre who paid the fireman in single shillings. I agree that is a childish practice, but I know of many cases in which the firemen have not performed their duties satisfactorily. I could quote case for case.

The important point is that not one hon. member has made any effort to prove that it is fair and equitable for the Bunbury Repertory Club, the Forest Theatre and the Mayfair Theatre to provide the finance for the Bunbury Volunteer Fire Brigade; or that in Mr. Jeffery's district the seven theatres mentioned by him should provide the finance for the four volunteer fire brigades. The only equitable proposition was put up by the hon. Mr. Griffith who said that £10,000 of the Fire Brigades Board funds should be allocated to the volunteer fire brigades.

The Hon. L. A. Logan: Do the same for the surf life saving clubs.

The Hon. G. C. MacKINNON: That would be a good idea.

The Hon. L. A. Logan: That has not been done. The public is paying for the surf life saving clubs.

The Hon. A. F. Griffith: The surf clubs do more towards the saving of life than any other organisation.

The Hon. G. C. MacKINNIN: When introducing this motion, I agreed that every theatre should have a fireguard. If an

employee of the theatre cannot be used as a fireman, then the theatre should be compelled to engage the services of a volunteer fireman. I also said that all travelling shows should be compelled to engage volunteer firemen, because those shows are here today and gone tomorrow.

If volunteer firemen are to be paid by the Fire Brigades Board, it should be part of the agreement that volunteer firemen attend all types of gatherings—balls, large meetings, repertory shows—on a purely voluntary basis.

I have made it abundantly clear that one of the reasons which prompted me to move for the disallowance of the regulations was my concern of the public attitude towards the volunteer fire brigades. I stated that drama groups and repertory clubs had increased from about eight to about 70 in the last few years; that reflects great credit on adult education in this State. The people participating give their services voluntarily in the capacity of doorkeepers, ticket sellers, programme sellers, ushers, directors, stage managers, technicians, actors: yet such clubs have to pay the volunteer fireman 25s. a night. The clubs do not like that, and they express their dislike in an increasingly vociferous way.

Every voluntary organisation depends to a large extent on public regard. It must retain public regard if it is to survive.

The Hon. L. A. Logan: This is only in your area.

The Hon. G. C. MacKINNON: I do not mind if it is the only area. It may be a fact that the people of that district are markedly different from other people. Obviously I can speak only from experience of my own district. It is extremely disappointing that no member has put forward any case to show why it is equitable for picture theatres and repertory clubs to foot the bill of volunteer firemen.

The Hon. L. A. Logan: Many of the voluntary organisations are supported by a minority of the public.

The Hon. G. C. MacKINNON: But not under compulsion. The Surf Life Saving Club now gets £500, but when I was a member the club did not get anything. It had to raise funds by running social functions and dances. There was nobody we could approach to put forward the argument that the members of the Surf Life Saving Club were on duty that day and should be paid say £5. That work was purely voluntary.

I agree that people are called on to contribute to the funds of voluntary organisations because every Friday in the streets people are asked for subscriptions of 2s. for charities. They can refuse to offer support and walk past the badge

sellers, but theatre managers have not that option. They have to foot the bill for the services of the volunteer firemen.

The hon. Mr. Teahan went to great lengths about smoking in theatres when no firemen were present. There was a period in this State when many theatres were without the services of firemen but I did not hear of any reports that the incidence of smoking increased. Even in the theatres around this town I have not seen people smoking because a fireman was not present. I have not heard of Mr. Robinson of Maylands complaining about the high rate of vandalism in his theatre as compared with the Midland Junction theatre.

So I say that the entire arguments that have been put forward have been eulogies of the volunteer fire brigades. I could give a eulogy of the fire brigade just as good, I imagine, as those given by each and every one of the previous speakers.

The Hon. A. F. Griffith: It is the line of least resistance.

The Hon. G. C. MacKINNON: The point is that we have heard all this talk of the fire brigades and a certain amount of abuse of the picture theatres that could go both ways and match argument for argument, but I still maintain that a case exists for the rejection of these regulations and the carrying of the motion.

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

Ayes—8

Hon. J. Cunningham	Hon. R. C. Mattiske
Hon. A. F. Griffith	Hon. H. K. Watson
Hon. J. G. Hislop	Hon. F. D. Willmott
Hon. G. C. MacKinnon	Hon. J. Murray

(Teller.)

Noes—15

Hon. G. Bennetts	Hon. H. L. Roche
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. W. R. Hall	Hon. J. M. Thomson
Hon. E. M. Heenan	Hon. W. F. Willsee
Hon. F. R. H. Lavery	Hon. F. J. S. Wise
Hon. L. A. Logan	Hon. G. E. Jeffery
Hon. A. L. Loton	

(Teller.)

Pairs.

Ayes.	Noes.
Hon. G. Fraser	Hon. L. C. Diver
Hon. R. F. Hutchison	Hon. A. R. Jones

Majority against—7

Motion thus negatived.

ADJOURNMENT—SPECIAL.

THE HON. H. C. STRICKLAND (Minister for Railways—North): I move—

That the House at its rising adjourn till Thursday, the 18th September, at 2.15 p.m.

Question put and passed.

House adjourned at 11.35 p.m.