

right, but if anything more than that can be read into it, I would not be in favour of the measure.

I understand that some landlords are rather lax with regard to electrical installations in the houses occupied by their tenants. In many instances it is possible that defective wiring may lead to danger to life. Electrical fittings that are faulty are always dangerous, not only to occupants of the house but possibly to the neighbours. I do not think this measure will affect many people. There are very few houseowners who would allow a defect in the wiring to remain unfixed. The object of this measure is to deal with those owners who are lax in that respect. As there is nothing contentious in the measure, I shall support it.

On motion by Hon. H. A. C. Daffen, debate adjourned.

House adjourned at 8.55 p.m.

Legislative Assembly.

Thursday, 25th November, 1948.

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The SPEAKER took the Chair at 3 p.m., and read prayers.

QUESTIONS.

POLIOMYELITIS.

As to Incidence and Risk at Places of Entertainment.

Mr. LESLIE asked the Minister for Health:

(1) Is poliomyelitis contracted through infection or by contagion?

(2) Are medical authorities certain on the answer to No. (1)?

(3) Why is it considered that children attending sports, swimming classes, parties, entertainments and a brief visit to Father Christmas are more liable to spread or contract the disease than when travelling in overcrowded trams, buses, trains, and attending schools where they congregate in large numbers and in overcrowded classrooms?

(4) Is he aware that earlier this year a Public Health Department spokesman is reported to have stated that with the advent of cold and wet weather the incidence of the disease would abate?

(5) Was there any noticeable reduction in the degree of incidence when weather conditions did change?

(6) Has there been any increase in the degree of incidence since the cold and wet season ended?

(7) In view of the fact that so many adults are contracting the disease, has any proposal been made to cancel sporting fixtures, similar entertainments and public gatherings for adults?

(8) If not, why not?

The MINISTER replied:

(1) and (2) Medical authorities on such matters are of the opinion that it is both infectious and contagious.

(3) Infection can be best avoided by keeping clear of cases and "carriers." The Health Department has, therefore, counselled the public to avoid as far as possible "carriers" by travelling only when necessary and avoiding crowded places.

(4) Yes.

(5) There was some lowering in the weekly averages towards the end of the winter.

(6) Not so far.

(7) and (8) Answered by No. (3).

BULK-HANDLING FACILITIES.

As to Completion of Agreements.

Hon. J. T. TONKIN asked the Minister for Lands:

(1) Have agreements in connection with the handing over to the control of Co-operative Bulk Handling Ltd. of the State's

bulk wheat handling facilities at Fremantle and Bunbury yet been executed?

(2) If so, on what date were the agreements finalised?

The MINISTER replied:

(1) No. The reason is the same as that which was given in my reply to the hon. member on the 27th October last.

Hon. J. T. Tonkin: They must be very minor matters, then.

(2) Answered by No. (1).

HOUSING.

As to Ballots for Rental Homes.

Hon. J. T. TONKIN asked the Minister for Housing:

(1) How many applicants will be included in the first ballot for rental homes for two- and three-unit families?

(2) Are all applicants to be included, irrespective of date of lodgment of application?

(3) Why was this ballot not held on the date proposed?

(4) On what date is it now proposed to hold the ballot?

(5) What is the number of houses to be allotted on the result of the first ballot?

(6) After the first ballot is held, what length of time will have to elapse before the second ballot will take place?

The MINISTER replied:

I ask that this question be postponed. I may inform the hon. member that the first ballot is being conducted this afternoon.

BILLS (6)—FIRST READING.

1, Wheat Industry Stabilisation.

2, Milk Act Amendment.

3, Road Closure.

4, Reserves.

Introduced by the Minister for Lands.

5, Coal Mine Workers (Pensions) Act Amendment.

Introduced by the Minister for Housing.

6, Pharmacy and Poisons Act Amendment.

Introduced by the Minister for Health.

BILL—HEALTH ACT AMENDMENT (No. 2).

Message.

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

Third Reading.

Bill read a third time and transmitted to the Council.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Message.

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

Third Reading.

Bill read a third time and transmitted to the Council.

BILL—LAND TAX.

Bill read a third time and transmitted to the Council.

BILL—CATTLE INDUSTRY COMPENSATION.

Second Reading.

THE MINISTER FOR LANDS (Hon. L. Thorn—Toodyay) [3.10] in moving the second reading said: This Bill is introduced for the purpose of providing legislation by which a fund is to be established to compensate the owners of cattle that will be compulsorily slaughtered on account of their being diseased, and including those that are slaughtered to prevent the spread of disease. Further, provision is made in the Bill for the payment of compensation to owners whose cattle are condemned on account of disease when submitted for slaughter for human consumption. This Bill is framed to meet in principle the recommendation included in the report of the Royal Commission on the Vermin Act, 1945. It is felt that the establishment of such a fund would act for the general good of the community. Cattle owners would not pass off diseased animals in the hope of escaping financial loss, but would realise that they would receive reasonable compensation for such loss; nor would they be inclined to hide disease in their herds for fear of loss. Further,

they would be encouraged to advise stock inspectors as to the presence of disease in their stock.

In the control and eradication of animal plagues, the slaughter and quarantine policy may be required to be implemented. This would cause considerable hardship amongst the few who are called upon to save the cattle industry from extermination. Compensation is therefore just. The success of dealing with an infectious disease depends entirely upon the assurance to cattle owners that compensation is available for animals destroyed under a quarantine and slaughter policy. By this means only can Australia be kept free from cattle plagues which, if allowed to go unchecked, cause untold devastation amongst its herds. In order to eradicate such diseases, the co-operation of the owner of infected cattle is of vital importance, for any obstruction on their part would seriously hinder an immediate check in the spread of these diseases. Moreover, the funds to be provided would enable the owners to re-stock their properties, and quickly permit the restoration of the industry to normality after the disease had been eradicated. This has been clearly demonstrated in the recent work of tuberculin testing under the Milk Act. All cattle bred in the North Province of this State are excluded from the provisions of the Bill. There are two funds provided in this Bill—

No. 1 for beef cattle.

No. 2 for dairy cattle.

The beef cattle fund is to be established by the contribution of a maximum amount of 1d. in the £ of the purchase money of each head of cattle, with a limit of 1s. 3d. for each beast, to be collected by a stamp tax on sales. The dairy cattle fund is to be established in a similar manner, but, in addition, a collection is to be made on the sale of butter-fat and milk, of a maximum of ½d. in the £ of purchase money. This provision is made on account of the extra contributions necessary regarding dairy cattle for the control of tuberculosis by the destruction of cattle reacting to the tuberculin test. Exemption shall apply to those dairy-men who are holders of a license under the Milk Act showing that their herds are free from disease. The amount paid in compensation will be, in the case of beef cattle, a maximum of £10, but in that of stud cattle, the Minister may approve of up to £20. The

maximum amount paid in compensation in the case of dairy cattle will be £20. The compensation assessed will be 80 per cent. of value if the carcase is diseased; but if not diseased, full compensation will be paid. The annual revenue from the maximum contribution is estimated as approximately—

No. 1 Fund: £6,000.

No. 2 Fund: £5,000.

I move—

That the Bill be now read a second time.

On motion by Hon. J. T. Tonkin, debate adjourned.

BILL—FEEDING STUFFS ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the 3rd November.

THE MINISTER FOR LANDS (Hon. L. Thorn—Tooday) [3.16]: The Bill was introduced by the member for Swan in an effort to bring about conditions that he desired with regard to stock feed. With the amendments that he has placed on the notice paper, I regard the measure as acceptable. Formerly, he had other amendments on the notice paper in which he sought to set up conditions that, according to our expert advice, were impossible of achievement. I advised him to get further information on the subject and I know that he consulted our experts, who went to a lot of trouble in research work to ascertain whether it was possible to frame amendments that would be suitable. I know Dr. Samuel was consulted. I support the second reading of the Bill.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Perkins in the Chair; Mr. Wild in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Amendment of Section 5A:

Mr. WILD: I move an amendment—

That in line 6 of the proviso the word "animal" be struck out.

I was asked by the executive of the poultry farmers' organisation to submit this amending legislation. It was thought that 16 per cent. should be the percentage of protein in prepared mashes and that it should be of animal origin. I am not a

chemist nor are members of the executive. We were not aware of the fact that it was not possible to differentiate in an analysis between animal and vegetable protein. Following upon the representations of the Minister, I discussed the matter with Dr. Samuel, the director of the research branch of the Department of Agriculture, as well as with members of the poultry branch of the department. I found it was quite correct that it was not possible to differentiate in an analysis for a period of possibly up to three months. In the circumstances, it would be impossible to protect the poultry farmers in the meantime. The Poultry Section considers that provided 16 per cent. can be maintained and there is a proportion of animal protein of not less than 25 per cent. it is the most that can be expected for the present. Wheat may average up to 14 per cent. of protein, and the amendment will mean that if the bran and pollard used in the mash totals 10 or 11 per cent. the manufacturer will have to add four or five per cent. of animal protein to make it up to 15 per cent.

Amendment put and passed.

Mr. WILD: I move an amendment—

That the following words be added to the proviso:—"of which at least twenty-five per cent. shall be of animal origin."

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

Title—agreed to.

Bill reported with amendments and the report adopted.

BILL—ELECTORAL ACT AMENDMENT.

Second Reading.

THE ATTORNEY GENERAL (Hon. A. V. R. Abbott—North Perth) [3.23] in moving the second reading said: This Bill is designed to amend the Act so that the rolls to be used at an election will more nearly contain only the names of those persons who have a right to be enrolled as electors, and to facilitate the work of the Chief Electoral Officer in attaining this object.

Section 7 of the Act gives authority to the Governor during the temporary absence of the Chief Electoral Officer or any registrar or returning officer to appoint a substitute to discharge his duties. The stipula-

tion that the appointment shall be made by the Governor entails a considerable amount of work for the Executive Council, and a new section proposes to give the Governor power to delegate authority to the Minister to make such an appointment.

The Bill proposes to alter the qualification for enrolment from one month's residence in a district to three month's residence. It has been found that alteration of rolls, owing to persons changing their residence from district to district, causes a considerable amount of work in the department. Under the provisions of the English Representation of the Peoples Act, which stipulates the electoral qualification in Great Britain, the qualifying period to entitle a person to registration as a resident in a constituency is three months. In New Zealand also the residential qualification for enrolment in a district is three months. It is considered that the three months' residential qualification for a district will result in greater stability in the rolls. It will also enable a resident in a new district to become familiar with the interests of the district before being eligible to vote for that district. After leaving a district for which he is enrolled, an elector will be entitled to vote in respect of that district for a period of six months, instead of three months as at present.

Provision is made to require a claimant for enrolment to state his place of birth and also his age in addition to the other particulars now required. The Chief Electoral Officer has reported that a good deal of confusion arises in connection with the notification of deaths inasmuch as several persons may have the same names and, as a result, the wrong person is sometimes struck off the roll. In most cases the place of birth as shown in the certificate, is different from the place of enrolment. The same principle also applies with respect to marriages. The additional information will make identification very much easier. This information is required under the Electoral laws of the Commonwealth and of other States.

Under the provisions of Section 47, an objection by an elector or by the registrar to a claim for enrolment must be determined before the issue of the writ for an election. The Bill provides that a decision on an objection, if heard and determined up to 14 days prior to polling day, shall be given effect to in the roll for the election in question. Under the Act claims for enrolment

can be made at any time not less than 14 days before the issue of the writ. It has been found that large numbers of claims are lodged at the last moment, which does not give the registrar sufficient time properly to investigate the claims, and, if necessary, to object to them before the issue of the writ. The amendment provided for in the Bill will extend the period for checking by enabling objections to be dealt with and finalised up to within 14 days of polling day. At present objections to enrolment have to be lodged before the issue of the writ for an election if they are to be given effect to for that election.

The Bill proposes to extend the time in which objections have to be determined to not less than 14 days before the date fixed for the poll. The Chief Electoral Officer considers that the determination of matters 14 days prior to polling day will give ample time for all necessary alterations and adjustments to be made to the rolls. A new section, 53, sets out the circumstances and time for altering the rolls after the issue of the writ. Rolls may be altered (1) where claims are received 14 days before the issue of the writ and are not objected to, and (2) if they are objected to and a decision is made 14 days prior to the date fixed for the poll. Alterations may also be made, pursuant to Section 50 of the Act, at any time before the issue of the writ; and under Sections 51 and 52, at any time not later than 14 days next preceding the date fixed for the election.

Section 70 of the Act now provides that the date fixed for nomination of candidates shall be not more than 30 days from the date of the writ. The Bill proposes to alter this so as to provide that the maximum period for nominations, after the issue of the writ, shall be 45 days. Similarly, the maximum time between nomination and the polling date has been increased from 30 to 45 days. As regards the North-West, provision has been made, in respect of any election in the North province, or any district therein, that there shall not be less than 35 days between the date for nomination and the date fixed for polling.

Mr. Rodoreda: That is interesting.

The ATTORNEY GENERAL: It has been found that, so far as North-West elections are concerned, insufficient time has been allowed by the Act for postal votes to reach the returning officer.

Mr. Graham: Will there be two separate polling days?

The ATTORNEY GENERAL: There could be, but not necessarily.

Mr. Hoar: May be.

The ATTORNEY GENERAL: A good deal of confusion has arisen in the mind of the public between the existing State system and that operating at present under the Federal law in respect of absentee voting. As members are aware, under the Federal law an elector can vote for any district at any polling booth, whereas under the State law an elector can only vote at present at a polling booth situated in his own district or province, as the case may be. Under the State law, as it now exists, an elector who is seven miles from his own district during polling day very often finds it inconvenient to vote; if he does vote, he may find considerable difficulty in locating a postal vote officer. Even should he find a postal vote officer, quite often his vote is not forwarded by the postal vote officer in time to reach the returning officer before the closing of the poll. It might be pointed out that the polling day is invariably a Saturday and that postal vote officers are difficult to find on that day.

The Bill proposes to adopt a system of absentee voting similar to the Federal system; an elector will be able to vote at any polling booth, irrespective of the province or district on the roll of which he is registered. Should there be any district in which an election is not taking place on polling day, provision is made for the setting up of polling booths to enable voting to take place in respect of other districts or provinces. Should an elector have reason to believe that he will be more than seven miles from any polling booth on the day of election, or should he be more than seven miles from any polling booth on such day, he will still be able to register a postal vote under the existing system.

Mr. Rodoreda: What do you mean by the "existing system"?

The ATTORNEY GENERAL: Absentee voting. There has been no alteration in the system of taking sick or infirm votes. It has been considered wise that there should be some regulation as to who may be appointed postal vote officers. Under the Bill, they are required to be appointed from returning officers, assistant returning officers,

officers employed in the State Electoral Office, Justices of the Peace, commissioners for declarations, town clerk of any municipality, secretary of any road board, members of the Police Force, classified State civil servants and classified State schoolteachers. It is usual that some qualifications should be held by all persons who are permitted to attest or witness important documents, including documents under the Transfer of Land Act. The receiving of a postal vote is an important function and the vote should be required to be taken by persons at least as responsible as those required to attest documents under the Transfer of Land Act. The existing provision will continue to apply to the North-West as, owing to the scattered population, persons of the suggested qualifications might not be available.

Mr. Graham: Would the persons you just mentioned automatically be appointed postal vote officers if they applied, or should they have additional qualifications?

The ATTORNEY GENERAL: They would be automatically appointed, unless there were good reasons for not appointing them. I cannot imagine any such reason.

Hon. E. Nulsen: You do not anticipate the Bill going through this session?

The ATTORNEY GENERAL: I am sure there will be no objection to it by any member.

Hon. A. A. M. Coverley: Don't be funny!

The ATTORNEY GENERAL: It is thought desirable that members of Parliament, whether State or Federal, should not act as scrutineers. This has been provided for.

Hon. A. A. M. Coverley: Before getting away from the appointment of postal vote officers, has it not been the practice for persons to make application to be appointed? Will you get away from that practice by this Bill?

The ATTORNEY GENERAL: As regards the North-West, the existing practice will continue. No alteration has been made in it. A good deal of annoyance has been caused to electors by their being refused a vote because their names were not on the roll where it was claimed that they should have been. The Bill provides for an alteration of the parent Act so as to incorporate the Federal provisions dealing with such circumstances. It provides that a person

claiming that his name has been omitted from or struck off the roll owing to an error, or whose name cannot be found on the roll by the presiding officer, may be permitted to vote if he makes a declaration, in the prescribed form, setting out his claim. His claim will then be considered by the Chief Electoral Officer, and if it is found that an error has been made in striking off his name or not including it in the roll, the vote will be included in the poll. Most members have had the experience on election day of members complaining to them that their names should be on the roll. More often than not, I have found that it is the mistake of the elector; but there have been occasions when, through inadvertence, a name has been struck off wrongly. Under the existing system, such electors have no redress.

Hon. A. H. Panton: Some electors who have resided in the same place for 20 years have had their names struck off the roll.

The ATTORNEY GENERAL: I think most members have had such experiences. All absentee votes will be forwarded to the Chief Electoral Officer for counting and the count will be notified to the respective returning officers. That differs a little from the Federal system. Under that system, they are forwarded to the divisional officer, but there are only five such divisions in the State under the Federal system.

Mr. Hegney: Eight, now.

The ATTORNEY GENERAL: Under the State system there are 50. It is proposed that all absentee votes, that is, votes which are registered at a polling booth outside the district of the elector, shall be forwarded to the central office for counting. They will be counted there and the information telegraphed to the respective returning officers. For instance, a vote might be registered for Broome or Port Hedland at Perth or Katanning or elsewhere in the State. It is thought desirable that such votes should go to the Chief Electoral Officer for counting and that he should telegraph the information to the respective returning officers.

Mr. Hegney: Are these absentee votes taken on the day of the poll?

The ATTORNEY GENERAL: Yes, at polling booths outside the voter's own district. A provision similar to that in the Commonwealth Act has been inserted so that the returning officer when he is satis-

fied that the votes on ballot papers issued at a remote polling place, that have not been received by him, or that any absent voters' ballot papers used by persons claiming to be entitled to be enrolled under the proposed Section 122A have not been received by him, cannot, having regard to the number of those ballot papers, possibly affect the result, may, subject to the concurrence of the Chief Electoral Officer, declare the poll without awaiting the receipt of such papers. As I have pointed out, provision is now made to deal with the position of an elector who is not on the roll, but claims he should be entitled to vote. These ballot papers will have to be forwarded to the Chief Electoral Officer and checked by him. If he is of opinion that the votes cannot affect the election, he is entitled to tell the returning officer of his opinion, and he may then declare the poll without those votes being included.

Provision has been made to enable the Chief Electoral Officer to impose penalties not exceeding 10s. for the first offence, or £2 for any subsequent offence, where an elector has failed to vote in an Assembly election. Under the existing provision, where an elector has failed to vote, he may be put to considerable expense should he be prosecuted through the court; and considerable work in such cases is also entailed to the department. It is, however, entirely at the elector's discretion whether he be dealt with summarily by the Chief Electoral Officer or by the court. The procedure in dealing with persons who do not vote is, under the Electoral Act, cumbersome and it is proposed to simplify it in this manner: If an elector desires to be dealt with by the court he is entitled to be so dealt with. Provision is made so that in any action in the Court of Disputed Returns, the court may grant to any party to the petition leave to inspect the rolls and other documents, except ballot papers, used in connection with the election. At the present moment no discretion is given to the court to enable such documents to be inspected.

Power is also given to enable the court at any time to give leave to amend the petition or other pleadings if it appears to the court to be necessary or convenient. This will bring the proceedings in a court of disputed returns into line with those now

existing in respect of judicial proceedings in other courts. In the event of an election being set aside by the court and a new election ordered, such election is to take place on the roll which was used for the voided election. As the Act now stands, it is not absolutely clear as to what roll should be used in the circumstances. Section 192 of the principal Act, which deals with the prohibition of canvassing near polling booths, does not clearly define the spot from which the distance referred to in the Act is to be measured. An amendment is provided which makes it clear that canvassing and soliciting for votes must not take place within 50 yards from the entrance to a polling booth from the nearest street or way.

Mr. Graham: What is the position with regard to wireless broadcasts near polling booths? That happened in the last Federal referendum.

The ATTORNEY GENERAL: I think that would come within this provision, because the actual action of the person concerned is being effected within the required distance. Admittedly the person is not present, but he is, by means of radio instruments, canvassing inside the stipulated distance. I think such procedure could be prohibited under the provisions of this measure. The Bill provides for other small amendments of an administrative nature, which can be more conveniently dealt with in Committee. I feel that the Bill will materially assist in clearing up the confusion that now exists in the minds of the public, resulting from the distinctions in the Federal and State systems, and will enable, as I said previously, the rolls to be used in any election to contain more nearly only the names of those persons who have a right to be enrolled for the election. I move—

That the Bill be now read a second time.

On motion by Hon. E. Nulsen, debate adjourned.

BILL—LEGAL PRACTITIONERS ACT AMENDMENT.

Council's Amendment.

Amendment made by the Council now considered.

In Committee.

Mr. Perkins in the Chair; the Attorney General in charge of the Bill.

The CHAIRMAN: The Council's amendment is as follows:—

Clause 3: Delete paragraph (b) and substitute the following:—

(b) By adding thereto provisos as follow:—

Provided that a person who shall have served his articles with the Crown Solicitor for the time being shall not be admitted as a practitioner unless and until he shall have obtained a degree of Bachelor of Laws in any university recognised by the Board for this purpose, and

Provided further that no such person shall be entitled to practise on his own behalf as a practitioner unless and until he shall have satisfied the Board that he has had twelve months' experience in the office of a practitioner in private practice.

The ATTORNEY GENERAL: The Bill proposes to insert in the Act a new provision to enable clerks to be articleed to the Solicitor General. It is considered by him that such a procedure will be of advantage not only to the department, but to the clerks themselves. The amendment made by the Legislative Council was drafted by the Solicitor General, and I had intended to move in this Chamber for its insertion, but unfortunately the clause was passed before I noticed it. The amendment was, therefore, moved at my instigation in the Council. The Solicitor General has informed me that he feels that anyone articleed to him should first have University training, because officers of the department have not opportunity or facilities for giving an articleed clerk the grounding in general law that he would get in private practice. The amendment will provide that, before being articleed to the Solicitor General, a person must have a University degree. I move—

That the amendment be agreed to.

Hon. E. NULSEN: I see no objection to the amendment, which simply makes the necessary qualification higher than it would otherwise be. If it is agreed to, a person, in order to be articleed to the Solicitor General, will first have to obtain the degree of Bachelor of Law.

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

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

BILL—STATE TRANSPORT CO-ORDINATION ACT AMENDMENT.

In Committee.

Mr. Perkins in the Chair; the Minister for Transport in charge of the Bill.

Clauses 1 to 4—agreed to.

Clause 5—Amendment of Section 10:

Mr. MARSHALL: I have some doubt as to the effect of this amendment. Under the Act as it stands, the Transport Board has power, of its own volition, to grant or refuse a license without calling tenders. That is provided under Section 10. The amendment contained in the Bill will make it obligatory for the board to call for tenders in the event of a State-owned transport system applying for a license. That would be unfair and inequitable. I would like the Minister to give the Committee an assurance that there will be no preferential treatment as between privately-owned and State-owned transport systems.

The MINISTER FOR TRANSPORT: I understand the point raised by the hon. member, but I do not think he need have any fears in the matter, because the position is covered by paragraph (d) of Section 10.

Mr. MARSHALL: The parent Act provides, "Subject to this Act, the board may of its own volition" do all sorts of things; but it may not do them. Up to date the board has done very little tendering. I do not know of one new license that has been granted where tenders were called. There is power under the existing law for the board to do so but there is also provision in the parent Act whereby the board can grant or refuse to grant a license on application. However, if the Minister intervenes he can direct the board, under Section 10, to take certain action and the board must make all sorts of investigations, and if it is advisable in the public interest to grant a license then it must call tenders.

Notwithstanding that, provision is made for the board of its own volition to do so and it can administer the Act in its own way provided there is no interference by the Minister. If the Commissioner of Railways wishes to use road transport as an adjunct

to his railway system, under the Bill as it stands, he must make application to the board for a license and this clause of the Bill makes it obligatory upon the Transport Board to call for tenders. This is similar to our land laws because if I make application for the purchase of a certain block of land, and in the opinion of the Minister it is advisable to sell that land, it must be put up for auction. I do not think the Minister wants that to happen, because it is certainly unfair.

I feel the Minister should have provided for preference to be given to State-owned systems when making application for licenses, because privately-owned transport systems have merely carried on a form of body-snatching ever since their inauguration. They have grabbed and taken from public-owned transport profitable business and trade at no expense to themselves and have not paid compensation. The rates charged upon them are inadequate to maintain the roads upon which their vehicles run. Yet the railway system is under an obligation to maintain its own roads as well as a multiplicity of other undertakings, and we give it no preference when it looks for lucrative trade in competition with privately-owned transport systems. At heart I know the Minister is not desirous of injuring State-owned transport to any great degree as his utterances last evening suggested.

Mr. Bovell: Does not privately-owned transport pay six per cent. of its turnover?

Mr. MARSHALL: Yes, which is an infinitesimal amount compared with the taxpayers' contribution towards maintaining the roads. If privately owned transport is given concessions and the taxpayers are called upon to maintain the roads upon which the vehicles run, we should give the same concession to the railways. But we do not do that. The Minister may find himself in deep water if he gives preference to State-owned transport, not so much with his own colleagues, but with those who are sitting very close to him. They represent vested interests concentrated in the city, and vested interests are pressing to the utmost for the Government to give away all the profitable business to privately-owned transport and call upon the taxpayers to meet an increasing deficit. If I were Minister I would have no fear of it, because I would not be sandwiched between my own

party and another party which is alleged to be favourably disposed towards me and eating out my political soul at the same time.

Mr. Bovell: You are trying to drive a wedge.

Mr. MARSHALL: No, the wedge is being driven from St. George's-terrace. The Premier is constantly blushing and excusing the Government for failing to give effect to demands from vested interests.

Hon. A. R. G. Hawke: The Premier often gets red in the face about it.

Mr. MARSHALL: Yes, he rushes bald-headed into these things. The Minister's explanation of a moment ago is far from satisfactory. But if he wants to take the risk of shouldering the responsibility for political repercussions he has been warned, and if anything does eventuate he and his party will be the sufferers.

The MINISTER FOR TRANSPORT: I do not think the hon. member's fears are well grounded. In the first place, I would remind him that when Section 10 was first framed the board was not subject to the Minister, but now it will be. If the Minister allowed it to grant licenses without authority from him then, quite rightly, he would be answerable to Parliament. The Minister will, under the Bill when it becomes law, be in charge and he will be jointly responsible for the granting of all licences. This is only to ensure that, as the ministerial head of the Government transport service he does not use that position to give undue favour to Government-owned services. The law is to be fairly administered between all interests so I feel certain that the hon. member's fears are groundless.

Clause put and passed.

Clause 6—Amendment of Section 15:

The MINISTER FOR TRANSPORT: I move an amendment—

That in line 2 of paragraph (a) the words "a subsection" be struck out and the word "subsections" inserted in lieu.

I am sorry that this has had to be introduced since the Bill was printed. There is a section in the Act which gives the Transport Board power to vary the conditions for the granting of a licence. A case has arisen as to whether an alteration in the fees is covered by the term "alteration in the condition." There was a doubt, and I referred the point

to the Crown Law Department; hence the amendment.

Amendment put and passed.

The MINISTER FOR TRANSPORT: I move an amendment—

That after the word "follows" in line 3 of paragraph (b) two new subclauses be inserted as follows:—

(2) The Board may at any time vary the fee determined by it for any license.

(3) The Board may refund the whole or any part of any license fee paid in respect of any commercial goods vehicle where the vehicle has not been operated in the manner or to the extent contemplated when the license was issued.

The reason for this amendment is that the fee would be determined on the figures supplied by the operating company. That is not so bad in existing circumstances where a license is issued for one year only. But the Bill makes provision for the license to be granted for seven years. There may be an instance where the traffic will fall off during that period and it may be unjust to continue to levy on a company to the extent of say, six per cent. Therefore, it is necessary to give the board power to reduce that fee if need be. Similarly, the traffic may not be very lucrative when the service is commenced and the board may desire to impose a license fee of one, two or three per cent. and subsequently decide to vary it to a higher rate when the traffic improves. Again, a license may be issued for a commercial goods vehicle to carry on business which may fall off or increase, and consequently it may be desirable either to decrease or increase the license fee.

Mr. MARSHALL: I can raise no objection to this amendment. For a multiplicity of reasons I think it is justified although not for the reasons advanced by the Minister. I hope the Committee will not agree to the extension of the license period. Unfortunately there are occasions where individuals enter into contracts which fall by the wayside. If a man enters into a contract to perform certain duties and the contract fails for some reason or other, he should get a refund of the fee for the period when he is not operating.

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

Clauses 7 and 8—agreed to.

Clause 9—Repeal and re-enactment of Section 29:

Mr. MARSHALL: I move an amendment—

That in line 3, after the figures "29", the figure and brackets "(1)" be inserted.

This is the provision that will enable the extension of leases to be made from 12 months to any period up to seven years. From past experience, members know that when such a provision is made, it means that an extension of seven years will be the minimum. The Minister himself indicated that when he said that the reason the increased period was necessary was that seven years was considered the life-time of a motor vehicle. If that were correct, the picture during the war period would have been both pathetic and tragic. While it might be correct in theory, it is ridiculous to talk about seven years as the life of a motor vehicle. We know that, given proper care and attention, a motor vehicle will live as long as many of us in this Chamber.

Hon. A. H. Panton: Especially a Ford.

Mr. MARSHALL: However, that is not my strong point.

The Minister for Lands: It is quite a weak one.

Mr. MARSHALL: I have left no doubt in the minds of members as to my attitude. What justification is there for an increased period of seven years? Many of the buses have been operating for 25 years or more, and there has never been any doubt in the minds of the owners about them. Many of the companies have carried on in a most creditable manner, particularly during the war period. They have never hesitated to maintain the services warranted by the traffic available, except when handicapped through inability to obtain replacements. The more efficient of the companies would have replaced some of their vehicles long ago, had there been any possibility of doing so. It is very strange that there should now be a desire on the part of some companies to go slow in catering for the needs of the public on account of the approaching end of their leases. There was no hesitation on the part of the companies to provide most efficient services in order to become established. They went all out 100 per cent. Some of the routes over which they were permitted to operate re-

presented a disgrace to the Government of the day. Just imagine a bus company being allowed to run from the centre of the city and almost from the Perth railway station to the Fremantle railway station!

The Minister for Lands: What Government was it that permitted that to be done?

Mr. MARSHALL: I am not concerned about what Government it was. Unlike the Minister, I do not ride the party hack.

Hon. A. H. Panton: Interjection replied to!

Mr. MARSHALL: I am not concerned about Governments or about individuals.

Mr. Yates: The Government adopted a very weak attitude at that time.

Mr. MARSHALL: I am concerned about the welfare of the State and of the taxpayers, especially when a company was allowed to run a bus service alongside a railway in which £1,000,000 or so of the public's money had been invested.

Hon. A. H. Panton: And this Government is extending the process!

Mr. MARSHALL: We have had that experience ever since we had privately-owned transport facilities running parallel to our railways and tramways. We even have a bus that runs past the Karrakatta Cemetery, and when there is no business to be done, it turns back to where the traffic is to be obtained.

Mr. Yates: It should have gone through the cemetery.

Hon. A. H. Panton: You will never get through; they will keep you there!

The Minister for Lands: At any rate, there would be no business for it in the cemetery.

Mr. MARSHALL: Some of the companies have been particularly fortunate because nowhere else in the world would privately-owned transport have been permitted to compete against a State-owned concern as has obtained in Western Australia. No other State of Australia would tolerate such a condition of affairs for 24 hours. The Governments in the East grappled with the situation and prevented privately-owned transport facilities snatching business from State-owned concerns. I do not agree with the extension of these leases because even in the event of the acquisition of the privately-owned concerns, they would be paid in full. What have they to fear? Tell me of any

Government that ever acquired the services of a private individual or company that was not forced by arbitration to pay more for the concern than it was worth.

Representatives of these companies came to me when I was Minister and I told them very plainly that even if the Government acquired their businesses, they would be well paid. It would be a matter for Parliament to determine as to what the compensation would be. Where in the history of the Commonwealth has any Government acquired property without paying the full 100 per cent. or more? It is well known the Government is always fleeced.

Mr. Nimmo: I can tell you of some land that was taken over by the State and the full price was not paid for it.

Mr. MARSHALL: And I could tell the hon. member of land that was taken over at a price representing more than it was worth.

Hon. A. H. Panton: And there is the land that was taken over for repatriation purposes.

Mr. Nimmo: Yes.

Mr. MARSHALL: The history of repatriation after the first World War, so far as concerns the repurchase of estates, might well be forgotten. Like the member for Mt. Hawthorn, I can quote individual cases; but, by and large, when the Government steps into the picture, it pays the piper. When I was Minister for Railways, I received deputations who requested the acquirement of these transport systems in the city because of the indifferent service they were rendering to the public. If we extend the term of the license to seven years, we shall be making the proprietors of these systems a gift of great value. Why should the member for Mt. Hawthorn interject? I feel that he has been obliged to suffer a headache or two recently.

Mr. Nimmo: You are telling me!

Mr. MARSHALL: If the people of Mt. Hawthorn find him supporting this proposal, I suggest that the Aspro Co. will have its profits increased materially this year. The Minister is doing wrong; he should not be bluffed into extending the term of these licenses. He is being coerced by a section. It is no secret that before the last election vested interests were promised favourable consideration in this direction if there was a change of Government. We have had

glaring instances, such as the handing back of the Black Diamond coal leases to Amalgamated Collieries and the handing over of the Government-owned bulk-handling facilities at Fremantle to Westralian Farmers. Now it is proposed to hand over the transport system of the city to private enterprise.

Hon. J. B. Sleeman: What next?

Mr. MARSHALL: The people in St. George's-terrace will find something else; goodness only knows what. These companies have nothing to fear if they are licensed from year to year. I respectfully suggest to members that they let the present provision stand and vote against the proposal. Private enterprise is snatching away one of the most profitable means of transport, leaving the railways unprofitable freight, such as super. and wheat. Very generous of private enterprise! Let private enterprise compete with the railways or the tramways on an even keel and it would not have a dog's chance.

The Attorney General: I did not think you were very satisfied with railway administration.

Mr. MARSHALL: I am not, but I am not proposing to sacrifice the railways to vested interests. No-one has worked harder than I to inculcate in our State-owned transport systems a more businesslike attitude. Privately-owned transport systems do not display much business acumen, either. The present system of licensing has given satisfaction for 25 years and will give satisfaction for another 25 years. We have no right, as members of Parliament, to make a gift to private enterprise of hundreds of thousands of pounds, which will be the case if this proposal is agreed to.

Mr. YATES: On several occasions I have listened to the member for Murchison dealing with this transport question. Mention was made that the member for Mt. Hawthorn might be influenced in his district. There is no influence in my district which could make me vote for or against the clause, as the greater part of it is served by Government transport. Private enterprise serves other portions of my electorate, however. The growth of road transport is becoming so great that eventually it will be more powerful than the State-owned systems if it is allowed to infiltrate and get the necessary authority under which to operate. The

granting of a license for a seven year period would assist private enterprise to combat our Government instrumentalities. I agree that they should be controlled, but the control should be fair. It must be remembered that we are here to protect Government undertakings in the best interests of the State, and we would not be doing that by granting individuals or companies leases of this kind extending over a period of seven years.

The individual motorist, if he is not able to get a driver's license, finds his vehicle useless to him. After passing a test and paying a five shilling fee he is allowed to drive his vehicle for a period of twelve months. That fee must be paid and the license renewed each year and the Commissioner of Police has the safeguard that he can, if he thinks fit, call up the motorist to undergo an eyesight test, for instance, before the license is renewed. I think the twelve months' period should operate in the case of the limited number of companies or individuals interested in road transport as a means of obtaining a living. The annual license will tend to make those concerned more careful about the type of vehicle they operate and will prevent them selling their businesses at inflated figures. The granting of a license for seven years would be of great value to the individual or company concerned.

I do not see why we should tamper with the provision that has operated very well for so many years. There are vehicles still on the roads that have been in operation for up to 25 years. The member for Kalgoorlie will agree that on the Goldfields there are some Leylands that were operating in Perth when the Metropolitan Omnibus Company first functioned. I do not say they are a disgrace to the Goldfields, but the sooner they are off the roads the better for all concerned, including the drivers, who have to nurse them for every mile they travel. I think we should leave the original provision as it stands.

Mr. BOVELL: I do not agree with the arguments voiced by the member for Murchison and the member for Canning. Transport is vital to our economy and those who operate it require a guaranteed tenure. That tenure should be seven years, which is about the normal life of a modern bus. If the service provided is not satisfactory, the Minister has power to terminate the

license. I support the clause as it stands.

Mr. NIMMO: The member for Murchison said I had or might have a headache, but my only headache is caused by the high rates charged for fares, and I am hoping that matter will be fixed up. The Government decided to do away with the tram system to Mount Hawthorn and put on a bus instead. First of all they put on the run V8 No. 1, about the worst rattletrap in the Tramway Department. In that way the Government drove people to the other bus companies. Had it provided a good service to the main street area of Mount Hawthorn it would have brought in much more revenue.

Mr. Marshall: Have you not a good trolleybus service there?

Mr. NIMMO: No, but we may have it later. The people at Joondanna Heights at present want an extension of the bus service to that area. I have spoken to most of them and have asked whether they would rather have a Government bus service or an extension of the service provided by the Scarborough Bus Company.

The CHAIRMAN: The hon. member is entitled to discuss such matters only as they relate to the clause and not as individual subjects.

Mr. NIMMO: I have approached the two bus companies operating in my area and have discussed with them their views on the twelve months and seven-years' leases. They said, "We do know where we stand now, and can make our plans."

Hon. A. H. Panton: Was that on the twelve months' lease basis?

Mr. NIMMO: I am referring to the seven-year period.

Hon. A. H. Panton: But they have not that period yet.

Mr. NIMMO: They now have the twelve months' period but they want the seven-years' lease. They say they know where they stand now and, with the seven-years' lease, can make their plans.

Hon. A. H. Panton: But they have not yet got the seven-years' lease.

Mr. NIMMO: They will have it.

Mr. SMITH: When the Minister was introducing the Bill I think he said nothing to justify the extension of the period from one to seven years. I have not noticed any

hesitancy on the part of companies operating bus services to extend their businesses, and to buy new vehicles. Neither has there been any tendency to discount the goodwill of some of these companies when their business has changed hands because their license only operated for 12 months. A period of 12 months only is sufficient to exercise control over operating bus companies and ensure that they render a service to the public commensurate with the concession which the Government has granted them for a paltry percentage of the revenue obtained in fares collected along routes maintained by the Government. The whole attitude of the Transport Board towards publicly-controlled transport should change.

The board should have a public passenger transport outlook which would encourage people to use it at all times and which would militate against people purchasing cars because of the irritation they experience while waiting so long for buses during slack periods. I have great fears in regard to this amendment. If we are to bring these Government-controlled transport systems under the Transport Board we will place that board in a position where it cannot differentiate between the conditions it imposes on privately-owned buses and Government-owned buses. The only chance the Government or the Minister has to exercise control over privately-owned transport is by limiting the license period to 12 months. Once the period is extended to seven years, the private companies will be able to do anything with respect to the non-observance of the conditions with which they are supposed to comply. The Minister could not tell me that they comply with conditions now.

Many of the buses are licensed to carry 35 passengers only and every night of the week between 5 and 6 o'clock they can be seen carrying 70 and 80 passengers in each bus. If they complied with the conditions set down, they would have more buses than they have now, and would be able to give a decent service at times other than peak periods. The Government should maintain control over all forms of transport so that all sections of the public may patronise whatever transport is available to them.

Mr. STYANTS: On the second reading, I opposed the proposal to grant licenses for seven years. That period is far too long, and I would prefer the retention of the 12 months' period, although some case

might be made out for a longer one. Bus proprietors would find it advantageous to have more time in which to plan improvements, but to grant seven years would be to go to the extreme, and the efficiency of the services might suffer. Human nature being what it is, a proprietor might feel that, as his license was practically assured, he could provide a service that would suit him rather than the people for whom it was inaugurated.

Private companies, with the limited number of vehicles at their disposal, maintain a fairly reasonable service. Since the second reading debate, I have made inquiries, and have been unable to find any instance of injustice having been done to a proprietor who has been operating under the annual license system. Men who have had contracts in the Lakes districts, for instance, have found that the board has been bound by law to call for tenders on the expiration of their licenses, but invariably, where a reasonable service has been given, the holder has been granted a renewal of his license. If the Minister could mention many cases where injustice had been done, I might be prepared to alter my opinion.

The timber industry operates from year to year and much dissatisfaction existed because the lessees contended that they had no continuity of tenure. Upon investigations being made, it was found that the same conditions operated there. Over a period of 30 or 35 years, where the conditions of the license had been observed, not in one instance had a renewal been refused.

Hon. A. H. Panton: The same thing applies to hotels.

Mr. STYANTS: Yes, and to other licenses. The bus owners have not been reluctant to expand their businesses and erect elaborate premises because they felt fairly sure of securing a renewal, so long as they gave a decent service.

Hon. E. H. H. HALL: I do not feel happy about the seven-year period. If it is granted, I hope the companies will not be free to do as they like. Nobody can regard with satisfaction the discomfort that the travelling public has to submit to during peak periods. Greater efforts might have been made by the Transport Board to ensure that private companies catered more adequately for passengers. When a man's

work is done, he has a right to be able to travel home in reasonable time and in comfort. I cannot support a seven-year period if the present state of affairs is to be permitted to continue.

The MINISTER FOR TRANSPORT: I have been urged many times to bring the transport services under one control. Members have complained of deficiencies, of timetables and of insufficient buses. Yet, as soon as we bring down a measure designed to effect an improvement, members complain that we are going to allow present conditions to continue. Have members on this side of the Chamber no confidence in the Government?

Hon. A. R. G. Hawke: No.

The MINISTER FOR TRANSPORT: Have members read the Bill? Cannot they see that the board would have power to cancel a license at any time for inefficiency?

The Premier: In our Policy speech, we said we would do this.

The MINISTER FOR TRANSPORT: I am afraid that the eloquence of the member for Murehison and the member for Brown Hill-Ivanhoe has unduly impressed members on this side of the Chamber. There are many deficiencies in the transport services, and we want to take steps to overcome them. The first step is to put them in charge of the Minister. Then, if there is any deficiency, the Minister will have to defend his actions in Parliament.

Hon. A. H. Panton: Why seven years?

The MINISTER FOR TRANSPORT: Members should bear in mind that conditions now are different from those that prevailed when these bus services started to operate. At that time, a bus could be bought for £1,200 or £1,500, but today a bus costs about £5,000. If a bus company had to provide five new vehicles at a cost of £25,000 to operate on a 12 months' license, fares would have to be increased. Fares are fixed by the board on the returns received by the companies. Therefore reasonable time must be given if sufficient fares are to be charged so that the companies may recoup some of the outlay. What company would lay out £25,000 on a 12 months' license?

Hon. A. R. G. Hawke: The companies will fall over themselves to get these services when vehicles are available.

The MINISTER FOR TRANSPORT: Some of the buses operating in the city are not suitable for the work.

Hon. A. H. Panton: And would not be if the proprietors had a term of 20 years, let alone seven years.

The MINISTER FOR TRANSPORT: That is a matter for the board. We did not bring about the conditions that exist today, but we are trying to rectify them so that our transport services shall be efficient. I agree with the member for Brown Hill-Ivanhoe that a service should not be run merely for a few hours in the morning and the afternoon. People should have a service to meet their needs. We promised to provide for a seven-year period and are living up to our promise.

Hon. A. H. Panton: What about other promises?

The Premier: We will live up to them, too.

Mr. Marshall: You did not give the previous Government much time—only 18 months.

The MINISTER FOR TRANSPORT: The previous Government had more than 18 years. These private bus services started to operate between 1922 and 1928. That is over 20 years ago. I hope the Committee will agree to the period of seven years, because conditions are entirely different from when a bus could be purchased for £1,500 or £2,000.

Mr. Styants: Do you know of any case where the Transport Board has refused to renew a license if a decent service has been given?

The MINISTER FOR TRANSPORT: That is not the point. Under the terms of the Bill, the board will be under the control of the Minister, and if it was desired to terminate these licenses, it could be done within 12 months.

Mr. Styants: The Minister would not do an unfair thing any more than the board would. The present arrangement has gone on for years without injustice.

The MINISTER FOR TRANSPORT: There have been rank injustices to the public. We cannot tell a man to renew his fleet at a cost of £30,000. We are asking for the extended period to guarantee the companies the longer term so that they may give the public better service. The board

will have power to see that the services provided are efficient. I hope the Committee will not agree to the deletion of the clause, but that the seven-year period will be given a trial. If it is later proved to be wrong, it can be altered.

Hon. A. R. G. HAWKE: Parliament would be unwise to approve of this clause. The granting of these rights to private companies for seven years would mean that any Government would, long before the seven-year period had elapsed, find those rights extremely difficult and embarrassing. The principle of year to year licensing operates in connection with factory premises, shop premises, hotels and a dozen and one other things. The people who build shops and factories, and those who run hotels, invest tremendous sums of money in them—far greater than any bus company is likely to—and they have no fears as to the future because they know that if the conditions of their licenses are carried out reasonably, they will most likely be renewed.

There may be big changes in the transport of passengers, particularly in the metropolitan area, within the next seven years. It is not easy to say that transport conditions in Western Australia will, at the end of seven years or even three, be the same as they are today. We would be most unwise to decide on the seven-year proposal at this stage. The Minister put up only one argument in any way impressive, namely, that some private transport companies operating passenger buses in the metropolitan area were working with very poor buses so far as mechanical condition and age were concerned. I think those companies have been doing that for years, and will continue to do so.

If the seven-year proposal were agreed to they would continue to use their vehicles until they fell to pieces, but such companies are in a minority. The majority in the metropolitan area use machines that are in good mechanical condition and as up to date as possible. The fact that one or two companies fail in their responsibilities to the public is no argument for the adoption of a seven-year license term, but it is an argument showing that the Transport Board should face up to its responsibilities and see that those companies do the right thing, or fail to get their licenses renewed at the end of the current licensing

year. If one or two of the existing companies did not have their licenses renewed, others would quickly come in to provide up-to-date transport on the routes that would be affected.

There is no fear that the refusal by Parliament to allow the long period of seven years will cause these financially weak companies—if they are financially weak—to refrain from purchasing vehicles that are more mechanically roadworthy than those they are operating at the present time. If we want proper control to be exercised over passenger transport in the metropolitan area, we should stick to the 12 months provision. If we fail to do that, but allow the seven-year term to be adopted, we would find that the Transport Board and Parliament would be in all kinds of difficulties because it has been proved over the years that the longer the tenure given to companies of this kind, the worse is the deal the public gets.

With a year to year renewal the companies adhere as far as possible to the conditions of their license. If any one of these companies referred to by the Minister failed to have its license renewed at the next period, the people on the routes concerned would not be affected because other and more reliable transport companies would be only too anxious to take over those routes and operate modern and reliable vehicles on them, despite the fact that they would be entitled, by law, to get a license with a currency of one year only.

The PREMIER: Here we have between the two parties the direct opposites in policy. We do not stand for the nationalisation of transport. During the last general election, both the Deputy Premier and I told the people that if we were returned to power we would provide for this seven-year period.

Hon. J. T. Tonkin: Where did you tell them that?

The PREMIER: From every platform I was on.

Hon. J. T. Tonkin: It is not in your Policy speech.

The PREMIER: The people were told, and I have said it repeatedly since in public. If we are to have an efficient transport service, we must give security, particularly

in these times. If private operators are to make preparations for the future, they require security.

Mr. Hoar: What about the timber industry?

The PREMIER: Let us deal with transport to start with. The Minister has pointed out that the companies are involved in very heavy expenditure, and he mentioned the cost of buses today compared with a few years ago. In addition, the companies have to provide workshops and everything necessary to maintain these expensive vehicles. Surely they want some guarantee of security. I thoroughly disagree with the Acting Leader of the Opposition that they have that guarantee because of the 12 months' terms. The member for Geraldton is concerned about the control over these companies. There will undoubtedly be control over them, and if a company does not render efficient service the Minister will have power to deal with it. If members will look at the Act, they will see where all those conditions are laid down. There is provision for control over fares, bus routes, condition of vehicles and so on.

Hon. E. H. H. Hall: You would not think so.

The PREMIER: I consider this particular amendment to the Act, as vital, and it will not only make all the difference as to the service rendered by the companies but will also lead to the giving of a more efficient service. It is only when a company knows that it has a sure period in which to operate that it is going to take a greater interest in its activities.

Hon. A. R. G. Hawke: That is a good argument for a seven-year term for members of Parliament.

The PREMIER: It is a good argument in favour of this clause. One of the greatest problems facing the Government when it came into office was that of transport, and it has given more consideration to it than many other problems. Members of the Government believe that this is one of the instances that will improve transport and, from my investigations and discussions all over the country, I believe the people approve of it.

Mr. RODORED A: According to the Premier and the Minister, if we fail to pass the clause, we can expect to get an increasingly

bad service from every private omnibus company that is now operating.

The Premier: Just the opposite.

Mr. RODORED A: I do not think the Premier heard what I said.

The Premier: I am sorry; I misunderstood you.

The CHAIRMAN: Order!

Mr. RODORED A: From what the Premier and the Minister have told us, these companies will show loss after loss.

The Minister for Transport: I did not say that.

Mr. RODORED A: That is what the Minister implied.

The Minister for Transport: No, it is not.

Mr. RODORED A: The Minister said that unless we can give them a seven-year tenure to do as they liked—

The Minister for Transport: Not to do as they liked.

Mr. RODORED A: The companies have done practically as they liked up to date.

The Minister for Education: That is under the yearly license system.

Mr. RODORED A: Under the Act, one of the conditions is that a specified timetable shall be observed, that prescribed records and statistics shall be kept and no more than a specified number of passengers shall be carried in any one vehicle at any one time. We know, of course, that vehicles will be overloaded whilst the profit motive is the basis upon which transport is run. If we were considering asking private enterprise to take on a new venture which had not been tried before, there might be something in giving them security of tenure, but all these companies were commenced with a license of 12 months only. They took them and were only too glad to do so, and they have been doing it for 25 years. We could not get a better service in any State of Australia than that provided by the Metropolitan Omnibus Co., with buses running between Perth and Fremantle. That company has up-to-date vehicles and gets new ones whenever they are procurable.

The Attorney General: Were they not told that they were to be taken over by the Government?

Mr. RODOREDA: I do not know. I think the Attorney General conjured that up out of his own imagination.

Hon. A. H. Panton: I did not think he had any.

The CHAIRMAN: Order!

Mr. RODOREDA: Both the Minister and the Premier know that the services, in most cases, have become increasingly effective. The 12 months tenure is the only control the Transport Board has over private bus companies.

Hon. E. H. Hall: The Minister denies that.

Mr. RODOREDA: He has not given any facts to support his denial. My experience has been that the companies have become increasingly effective, and they are extending their operations all the time and trying to amalgamate to get other concerns and more routes. They are doing that under the 12 months provision. A bond is supposed to be deposited, but what hold does that give the Transport Board over any operator? Any member who votes for the seven-year period is voting to give a franchise to private companies, and the seven-year license is a negotiable instrument. There are no conditions to it and it can be sold at any time, without the company buying a bus.

Mr. READ: I do not know whose policy this is; whether it is ours or theirs. I find myself outside the boundaries of politics, so I can discuss the conclusions of the Transport Advisory Committee on the position without bringing politics into the matter at all. I have listened to the various arguments about how transport will deteriorate and it seems to be that in a few years' time we shall all be walking. I do not agree with that contention. It is not mandatory on the board to give a seven-year license. All that is laid down is that the board may extend the term of the license to any period within seven years. All these companies are in the hands of the banks, and most of them are working on overdrafts, and they would not get any considerable advance unless they had security of tenure. In every country I know about, the first thing that is asked when a bus company is to be formed is, what is the security of tenure and where are its feeder stations?

In this city, there are only one or two companies in the metropolitan area that have feeder stations, and at the moment

Riverside-drive and Terrace-drive are being used by both public and private companies. It is contended that if the bus companies had a longer tenure they would be able to spend the thousands of pounds needed to finance the cost of building feeder stations and that is a problem exercising the minds of local authorities in the metropolitan area. The Transport Board has control over fares and all other conditions, and the penalty clauses would apply whether the license is granted for one, two or even seven years.

Some members have suggested that if the companies secure a longer tenure, they will be able to run the services under any conditions they like and that they will do as they like. Those members have evidently had little experience of boards, such as the State Transport Board. The granting of a license for any period up to seven years would be entirely dependent upon how the company concerned had carried out its obligations. From the financial aspect alone and with a view to enabling the companies to provide the necessary finance for future activities, it should be within the power of the board to grant extended licenses up to a period of seven years.

Mr. BOVELL: I am still of the opinion, despite the opposition expressed by some members, that the seven-year extension proposal represents an earnest endeavour on the part of the Government to rectify the terrible mess into which the transport position has drifted. I certainly support the Government's view. Criticism will not get us anywhere. This provision will rectify a state of affairs that has caused concern throughout the State over the years. If we do not try to do something about it, we will get nowhere. The Government is certainly to be commended.

Hon. A. R. G. Hawke: You will get on!

Hon. A. H. Panton: Sergeant-Major to you!

Mr. LESLIE: First of all, Mr. Chairman—

Hon. A. H. Panton: Now we will get the "dinkum oil"!

Mr. LESLIE: I am sympathetic to the references by Opposition members regarding the necessity for improvements in transport conditions in the metropolitan area, but their arguments tend to defeat themselves. I approach the matter from the point of view of the people in the country districts.

Hon. A. H. Panton: The member for Sussex has done that.

Mr. LESLIE: School bus services already operate in the rural areas; but in order to get them established, it has been necessary to offer contracts over periods extending to five years.

Hon. A. H. Panton: And to put on inspectors to see that the contractors do their jobs.

Mr. Rodoreda: And there is no analogy at all.

Mr. LESLIE: The metropolitan area has a better transport service, good or bad as it may be. We have not such facilities in the country districts and we desire to have them established there. Nobody would be prepared to invest money in such a proposition with a license extending over only twelve months. The clause in the Bill is merely an enabling provision by which the Transport Board will be able to encourage the establishment of bus services by granting licenses for a period up to seven years. It does not mean to say that such a period will be granted.

Hon. A. H. Panton: But you think the board will grant a seven-year period?

Mr. LESLIE: I think that possibly may happen. With the clause in the Bill, we may be able to induce people to undertake services that hitherto were unattractive propositions. Country members cannot afford to oppose the Bill in this respect, because otherwise it will be impossible to encourage the establishment of better transport facilities in rural areas. After listening to the speeches of members opposite, I do not know whether we have a particularly rotten privately-owned transport system in the metropolitan area or a jolly good one. They say that under the system of yearly licenses the transport owners have made the public bow to their conditions and pay the high fares charged.

Hon. A. H. Panton: That is the Minister's argument.

Mr. LESLIE: On the other hand, they say that in the past few years the services have improved.

Hon. A. H. Panton: Out my way they have improved.

Mr. LESLIE: If the twelve-monthly period has proved unsatisfactory, why not make a change? If we are to be purely

metropolitan-minded, then we must agree that the transport owner with only a twelve-monthly license, will not be very greatly concerned about providing an efficient service, because he has not much to lose. If, on the other hand, his license is for a period of up to seven years, then he would recognise that unless he complied with the conditions laid down in the Act, he would risk its cancellation. In those circumstances, he would provide a better service.

Mr. MARSHALL: The member for Mt. Marshall's ridiculous statements with regard to country transport would make the ordinary person giggle. Where is the country transport service that operates without a subsidy or without the right to take trade from the railways?

Mr. Leslie: You are mistaken.

Mr. MARSHALL: Private enterprise will not operate unless there are big profits to be made. When I was Minister for Transport, I had requests made to me with regard to bus services and I would have granted them if it had been at all possible. Under existing circumstances, it is useless to talk about country services. Then, from the business point of view, the member for Victoria Park said that the companies were "on the banks" and were working with overdrafts. Does he not know that the price-fixing commissioner, when the Commonwealth regulations were operating, was about to reduce fares in the metropolitan area because of the reserves the companies had built up? They were making so much money that they were faced with the danger of fares being reduced! Then there were the statements made by my giggling friend from Mt. Marshall, who can giggle better than he can talk and certainly better than he can use his brains.

The CHAIRMAN: Order! The hon. member must not reflect on another member by making such statements.

Mr. MARSHALL: I do not desire to do so. Let him look at the colossal buildings and equipment of the Beam company. Let him see all the mechanism installed and the fleet of buses the company possesses—all under the twelve-monthly system. Let him go to Mt. Hawthorn and view the housing and equipment there. Let him see what the United Bus Company has built up. Let him go to Fremantle and look at the property of the Metropolitan Bus Company.

These involve investments aggregating something like £1,000,000 in buses, properties and equipment—all on the twelve-monthly basis. It is ridiculous to talk about the necessity for an extension of licenses to upwards of seven years in order to facilitate the financial position of the companies. These concerns are not commencing business; they have already established themselves. From the financial aspect, the Premier let the cat out of the bag when he said they did not believe in nationalisation. Is that the fear?

The Premier: That is so.

Mr. MARSHALL: Therefore, the Government intends to grant an extended tenure to the bus companies in order to prevent any future Government acquiring the services, if it should desire to do so.

Hon. A. R. G. Hawke: That is it.

Mr. MARSHALL: Irrespective of other considerations involved, the Government believes it is necessary to secure the vested interests.

The Premier: I am a believer in security of tenure.

Mr. MARSHALL: And I am a strong believer in the security of the community and am against exploitation by private interests.

Hon. A. R. G. Hawke: That is the vital point.

Mr. MARSHALL: The Premier has no monopoly of his opposition to the nationalisation of industry nor has his political party. Is it not strange that, in view of the fears expressed by the Government and its supporters, when a deputation waited upon me as Minister for Transport, the length of tenure was not referred to.

Mr. May: It may have been suggested to them now.

The Attorney General: Anyhow, they would not have had much chance with you as Minister.

Mr. MARSHALL: There is no necessity for this provision and I oppose it.

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

Ayes	21
Noes	19
	—
Majority for .. .	2
	--

AYES.

Mr. Abbott	Mr. Murray
Mr. Ackland	Mr. Nalder
Mr. Bovell	Mr. Nimmo
Mr. Cornell	Mr. North
Mr. Doney	Mr. Read
Mr. Grayden	Mr. Seward
Mr. Hall	Mr. Thorn
Sir N. Keenan.	Mr. Watts
Mr. Leslie	Mr. Wild
Mr. McDonald	Mr. Brand
Mr. McLarty	

(Teller.)

NOES.

Mr. Brady	Mr. Needham
Mr. Coverley	Mr. Nulsen
Mr. Fox	Mr. Pantou
Mr. Graham	Mr. Shearn
Mr. Hawke	Mr. Sleeman
Mr. Hegney	Mr. Smith
Mr. Hoar	Mr. Styants
Mr. Kelly	Mr. Tonkin
Mr. Marshall	Mr. Rodereda
Mr. May	

(Teller.)

Clause thus passed.

Clauses 10 to 14—agreed to.

Clause 15—Amendment of First Schedule to exclude commercial goods vehicle operated by the Crown or a local authority and to include furniture carrying vehicles:

Mr. MARSHALL: In my opinion, we should not deny this traffic to the Railway Department, notwithstanding that I know there have been numerous complaints about the handling of furniture in transit on the railway system. Now that we are to have complete ministerial control, however, we can look for better results. I move an amendment—

That subparagraph (d) of proposed new paragraph 6A be struck out.

The MINISTER FOR TRANSPORT: The subparagraph should not be deleted. It will be easy to police the paragraph, because obviously road transport would be too costly over a long journey. There are, however, many places five, 10, or 15 miles from a railway where hardship would be entailed if the people were forced to transport furniture by rail. The provision will also act as a spur to the department to live up to its responsibilities. I agree there have been many occasions when furniture has been damaged during transport by rail.

Mr. MARSHALL: It would be possible to transport other goods with furniture, as the furniture would be packed and not readily accessible to inspection. Besides, it would be unfair competition.

Amendment put and negatived.

Mr. MARSHALL: I move an amendment—

That in line 3 of proposed new paragraph 13 the word "whether" be struck out.

The proposed new paragraph mentions "goods of the same or a different kind" as those mentioned in the schedule. The Minister should have power to make regulations to cover the goods mentioned in the schedule. This paragraph would grant the right to transport other classes of goods than those intended.

The Minister for Education: Do you think it ought to be confined to primary production?

Mr. MARSHALL: That would be an improvement.

Sitting suspended from 6.15 to 7.30 p.m.

The MINISTER FOR TRANSPORT: During the tea suspension I considered the matters raised by the member for Murchison and am agreeable to moving amendments to meet his desires in the matter.

Amendment put and passed.

The MINISTER FOR TRANSPORT: I move an amendment—

That in line 3 of proposed new paragraph 13 the word "if" be inserted in lieu of the word struck out.

Amendment put and passed.

The MINISTER FOR TRANSPORT: I move an amendment—

That in line 4 of proposed new paragraph 13 the words "different kind as or from" be struck out and the words "similar kind as or to" inserted in lieu.

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

Title—agreed to.

Bill reported with amendments.

Recommittal.

On motion by the Minister for Transport Bill recommitted for the further consideration of Clause 9.

In Committee.

Mr. Perkins in the Chair; the Minister for Transport in charge of the Bill.

Clause 9—Repeal and re-enactment of Section 29:

Mr. MARSHALL: I move an amendment—

That in line 1 of proposed new Section 29 after the figures "29" the figure one in brackets thus "(1)" be inserted.

Amendment put and passed.

Mr. MARSHALL: I move an amendment—

That a new subsection be added as follows:—" (2) No transfer of a license for an omnibus shall be granted unless and until the Board is satisfied that no money or other consideration by way of premium or otherwise is to be paid or given for the transfer of the portion of the term of the license remaining unexpired."

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

Bill again reported with further amendments.

BILLS (2)—FIRST READING.

1, Public Service Act Amendment.

2, The Bank Holidays Act Amendment.

Received from the Council.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Council's Further Message.

Message from the Council received and read notifying that it did not insist on its amendments Nos. 3, 4, 14, 17 and 27 and insisted on its amendments Nos. 1, 2, 5, 6, 13, 18, 19, 20, 22 and 26 disagreed to by the Legislative Assembly and disagreed to the Assembly's further amendments to the Council's amendment No. 21 for the reasons set out in the Schedule and insisted on its original amendment No. 21.

BILL—MATRIMONIAL CAUSES AND PERSONAL STATUS CODE.

Returned from the Council with amendments.

BILL—DOG ACT AMENDMENT.

Second Reading.

Debate resumed from the 18th November.

MR. BRADY (Guildford-Midland) [7.42]: I will not discuss the Bill at length. It has nothing to do with the "dog act" often mentioned in relation to licensed premises, but it contains one or two clauses which, if put into effect by municipal bodies and road boards, will be the means of some mothers and fathers in the country leading a dog's life. The Act defines "wandering at large" with respect to dogs. It is there stated that if a dog is wandering at large and not under the control of somebody it can be

seized and impounded. The word "control" could lead to a lot of legal controversy. I feel that a better word could be found in order to make the intention more clear.

My only serious objection to the measure has reference to the provision the purpose of which is to take from magistrates and justices the right to reduce a fine or refrain from inflicting a fine where a person is convicted under the Act. In Clause 5 it is proposed to repeal a provision of the Justices Act, 1902-1942; and take from the court or justice the right simply to record a conviction. In the existing Act a maximum penalty of 40s. and a minimum of 10s. are laid down. The Minister, when introducing the Bill, said that there have been a number of cases where, on conviction, the minimum fine has not been inflicted. It is now desired to remove from the Justices Act the power which justices have, not to inflict a fine. I take very serious objection to this House trying to judge cases and laying down penalties without hearing all the circumstances. I can visualise several instances, and I will mention one of them, where there should be a mitigation of the punishment that might otherwise be inflicted on the people affected.

One case I call to mind is that of a small child who may, quite innocently, allow his pet to run at large and offend somebody. Although it might be quite a simple act, because of its commission the penalty would be 10s. and there would be no mitigation. In such a case I do not think the parents should be harshly treated. Another case I bring to mind—and I have had experience in this respect—is that of subnormal children who, despite the fact that they are not supposed to do certain things, will do them. I can imagine a position arising where a subnormal child may let his dog or pet stray from the house without a leash attached to its collar, and so be subjected to a penalty. In such a case the justice or the magistrate hearing the case should make a conviction without any penalty or make no conviction whatever, whichever course was decided upon.

I am not going to take up the time of the House by dealing with the other provisions of the Bill which I think are most desirable amendments. The rural community, and particularly stockowners and poultry farmers, will welcome the provision where by a dog left wandering at large will render

his owner liable to a severe penalty. I hope that the municipal bodies who will be empowered to make regulations under this Bill when passed will be reasonable and not be too harsh at the outset, even though they may have to be so ultimately. It is quite common for people, nine times out of ten, to take their pets out without a leash and if the regulations are harshly enforced a lot of controversy will be occasioned which may result in litigation. Some electors will realise that parliamentarians have not been playing cricket if they find they are being harshly dealt with by some of the municipal authorities for allowing their pets to run at large. I support the second reading.

MR. SMITH (Brown Hill-Ivanhoe) [7.46]: These proposed amendments are to an Act which has been on the statute book for many years. In my opinion the keeping of dogs is a savage survival and it is a practice that ought to be discouraged. The Australian aborigines are very fond of dogs and Crosbie Morrison, when speaking about them on one occasion, said that dogs were not indigenous to this country but the aboriginal came here with his wife and brought his dog and his wife. Mr. Morrison also said that in Australia today it would be impossible to find a pure-bred dingo which, I think, is some indication that dogs, which are not wild dogs, are allowed to roam the country at will and breed with the dingo until there is not a pure-bred dingo left, but plenty of wild dogs that are extremely troublesome to farmers. Although I do not believe in the keeping of dogs, as a savage survival, I have never been able to discover why people have to register them. It always seems to me to have been an observance insisted upon under the Dog Act for no other purpose than for the collection of revenue.

Mr. May: Indirect taxation.

MR. SMITH: That is what it is. The dog owner obtains no benefit from the registration whatever, and as far as I can see the general public get no protection as a result of it.

The Premier: They certainly get protection; the country would be swarming with dogs if registration were not insisted on.

Mr. Rodoreda: Half of them are not registered!

MR. SMITH: That is true; half of them are not registered! The local authorities are

compelled to issue a disc to owners but they are not compelled to attach it to the dog's collar. I am not sure whether it is not a cruelty to animals to make a dog wear a collar. Usually it is a hiding-place for fleas where a dog cannot scratch. Furthermore, if a dog is registered it is not immune from capture by a dog catcher that is appointed by a local authority, whether it has a disc on its collar or not. As I said before, the general public get no protection whatsoever. Dogs are registered whether they are savage, whether they howl all day when their owners go to town, or whether they bark all day as some of them do. If it is necessary to register dogs there should be some conditions laid down. I would like to know for what purpose they are registered.

Mr. Leslie: You would not allow a bloke to have one.

Mr. SMITH: They are registered for no other purpose than to collect revenue. The time is rapidly arriving when some conditions will have to be laid down. I know of a man in business in Nedlands whose duty it was to deliver groceries, and he suffered such injuries as the result of a bite from a dog in a private residence in that area that he was able to secure from the owner £650 in damages, but he was still £250 out of pocket.

Mr. May: That was a pretty dear license.

Mr. SMITH: Some dog owners adopt an insane attitude when some potential victim is threatened by their dog by saying, "He won't bite you"; that is all they say, "He won't bite you!" No dog is ever destroyed because it is unduly savage until it has inflicted injury on some innocent person.

Mr. Fox: He is entitled to one bite.

Mr. SMITH: That seems to be the silly opinion of some people; that a dog is entitled to one bite.

Mr. Leslie: That is why he is licensed.

Mr. SMITH: The time is rapidly coming when the members of trade unions, whose duty it is to deliver goods from various emporiums around the city, such as Boans, Foys, butchers' shops and grocery shops, will refuse to deliver.

Mr. Bovell: What butchers deliver meat?

Hon. A. H. Panton: Mine does.

Mr. SMITH: They will refuse to deliver these goods because of the dogs that are

the health authorities. I saw in the Press continually "dog-dancing" around them while the owner is saying, "He won't bite you." I think the whole question of the keeping of dogs should be investigated by this morning where the suburb of Cottesloe is referred to as "a dirty suburb that is infested with rats." I venture to say, with a very great degree of certainty, that every second person in Cottesloe keeps a dog if that district is infested with rats. I have given some consideration to this question and made some investigations regarding it, and I find that suburbs that are infested with rats contain people who keep dogs. And those are the people who complain of such infestation!

Mr. Read: Quite rightly.

Mr. SMITH: The dog is the rat's greatest friend. I have a friend in Nedlands who invited me to his place not long ago and on my arrival there a dog—a fox terrier—was trying to catch rats in the woodshed. His owner said to me, "This place is infested with rats but Fido is a great little ratter." Well, he had as much chance of catching the rats in the woodshed as I had. As a matter of fact, his owner then proceeded to tell me that he had laid five baits along the fence and on reflecting his torch upon them saw five rats come out and take the baits. Therefore, it is quite obvious that the dog is the friend of the rat.

Mr. Styants: They exchange fleas.

Mr. SMITH: The dogs certainly keep the cats away. From inquiries I have made I know that the people out my way who complain of rats are the people who keep dogs. The people who do not keep dogs have a backyard in which cats run around, but at least they keep the rats away. I think this is quite a serious matter because it ought to be obvious to anyone that dogs cannot catch rats; but they can keep cats away. It is quite obvious too that a dog is grounded but a cat is not. The rats out our way get up almond trees and eat the almonds. Certainly no dog can reach them, but a cat can. I do not keep a dog, I never chase a cat out of my area, either, and I have never been troubled with rats in my house. But neighbours who keep dogs are the cause of keeping the cats away. It is not a laughing matter, really, because Darwin teaches us that in the Old Country bees depend on cats for the gathering of honey.

Mr. SPEAKER: I would remind the hon. member that we are dealing with a Bill to amend the Dog Act.

Mr. SMITH: Yes, this is apropos, because it is natural history. Red clover has a flower which carries quite a lot of honey, and field mice like red clover, and unless there are cats to keep the field mice away, then there is less honey for the bees to gather; and so it is with dogs and cats. Where there is a dog in the backyard chasing every cat away, then I guarantee there will be rats. This is an aspect that should be considered by the health authorities. I do not think conditions should be tolerated in a suburb which occasions a man to write to the newspaper about how Cottesloe is infested with rats. With the possibility of bubonic plague and Brill's disease resulting from these rodents, I am satisfied, as a result of my deductions, my commonsense and my investigations, that wherever dogs are kept there will be rats.

MR. HEGNEY (Pilbara) [8.0]: Will the Minister explain the position that might arise under the definition "wandering at large"? I welcome the Bill because I believe it will give the authorities, including the police, more power to deal with straying dogs than they have had in the past. I do not know what the experience of other members has been, but on numerous occasions I have seen dogs rush at children who were riding bicycles along the highway. Where traffic is heavy, there is a possibility of a person so attacked being diverted from his course and meeting with a serious accident. It may happen that the owner of the dog is close handy but has not the dog on a leash, and the question would arise, "What control has the owner over the dog?"

If the owner called the dog by name and the dog took no notice, the owner could not claim to have control over it, but if the dog, after chasing a vehicle a certain distance, took notice, it might be said that the owner had some control. Could it be said that such a dog was wandering at large? The Minister should be able to give us an assurance that definite action could be taken against owners, even when they are in the vicinity. If their dogs molest people, and especially children, on the public highway. One does not have to be riding a bicycle to be molested by some dogs. We read a few

weeks ago of the experience children had of a dog at the Victoria Park school. The authorities should certainly have sufficient power to prevent any recurrence of that sort of thing.

From the health aspect, I agree that there should be more stringent legislation to deal with straying dogs. The other day I saw a bread-carter stand his basket containing bread on the footpath opposite the Subiaco Post Office while he went to the cart to get more bread, and, when his back was turned, a dog came along and did its business against the basket.

Mr. Marshall: Was there no post handy?

Mr. HEGNEY: Numbers of dogs are permitted to stray on public highways and, if for health reasons only, it would be advisable to introduce more restrictive legislation. The member for Brown Hill-Ivanhoe referred to the barking of dogs. Certainly, some dogs have a habit of barking and not only in the daytime. Some owners leave their dogs in the backyard while absent at business or picnicking, and the creatures yelp all day long, as well as half the night when their owners go to the pictures. Other dogs bark from sunset to sunrise and then cease during the day. So far as I can judge, the provisions of the Bill will have no effect in regard to such dogs; I believe action could be taken only on the ground that they were a nuisance to the neighbourhood. There should be more power to enable dogs to be kept off the streets. However, I hope the Minister will give me the information I have asked for about the definition of "wandering at large." I support the second reading because the Bill will give the local authorities and the police power that the existing statute does not give them.

HON. E. H. H. HALL (Geraldton) [8.6]: The Government should be commended for having introduced the Bill, which I consider is long overdue. I agree with the remarks of the member for Pilbara regarding the health aspect. It is disgusting what we have to tolerate when people keep dogs that inflict their beastly habits upon us.

Hon. J. B. Sleeman: Their fleas?

Hon. E. H. H. HALL: No, something worse than fleas. Humans observe recognised standards of cleanliness, but the same cannot be said of dogs. Doubtless, some of the remarks made here this evening will

grieve lovers of dogs. In another place years ago, this question was under discussion, and the then Honorary Minister, who was a great dog-lover, almost wept at the adverse comments that were made about dogs. I maintain that if people want to keep dogs, the animals should be kept in the backyards. There is one aspect that has not been mentioned, namely, that if the provisions of the Bill are enforced, we shall be assured of greater safety on the roads for motorists. Some dogs have a habit of lying in the middle of the road. No decent motorist cares to run over a dog; in fact, there is a certain amount of risk attached to doing so, but dogs so obstructing traffic are apt to cause accidents. I hope the Bill will go far towards remedying the existing dog nuisance.

MR. FOX (South Fremantle) [8.8]: I cannot see that the Bill will effect much improvement. At Fremantle the other day, the poundkeeper collected 25 dogs, but unfortunately the owner of one of them arrived on the scene and, in rescuing his own dog, released all the others as well. People handling milk, I have noticed, often leave their cans on the side of the road, and boxes of milk bottles may be seen near schools that were supplied with milk for the children. Dogs come along and give their attention to these cans and bottles, and this must be harmful to the health of the children.

I consider that we should move in the direction of abolishing all dogs in the metropolitan area. I cannot see what use they are in the metropolis. I can quite understand a man in the country having sheep or cattle, or living in a part where there is game, keeping a dog or two, but I can see no reason for having a dog in the metropolitan area. Of course, we shall still have ladies who tend poodles in order to have something to do instead of having a child or two. In my time, I have owned two dogs, but, after losing them, I missed them as I would a friend, and for that reason I have refused to get another.

Consider the health aspect! Doubtless every member has seen a child eating a piece of bread and a dog coming along and taking a bite. Then, after the dog has gone into the road and found something dead to roll on, it returns to the child to be caressed. If that is not inimical to the health of a child,

I do not know what is. The keeping of dogs, too, helps to increase the dingo menace. I believe there are some dingoes not far from the metropolitan area.

Mr. Smith: What about foxes?

Hon. A. A. M. Coverley: They are a bigger menace.

Mr. FOX: Perhaps in some instances they are. I hope that action will be taken in the direction of doing away with dogs in the metropolitan area because I see no reason for keeping them there.

THE MINISTER FOR LOCAL GOVERNMENT (Hon. A. F. Watts—Katanning—in reply) [8.11]: Both the member for Guildford-Midland and the member for Pilbara made reference to the phrase "wandering at large." That term has been defined for one purpose only, and that is for the purpose of Section 19, which states—

Any dog found wandering at large may be seized and kept by the police or any authorised officer of a local authority.

It was said to be not clear whether a dog was wandering at large or not if the owner was within any distance, or even within sight of it. The definition was requested by several local authorities who have experienced difficulty and also, I believe, by certain police officers. Difficulty was experienced in defining the words for the purposes of that section, and they do not appear anywhere else in the Act. Hence, the words were defined as "roaming about without any control whatever." Under that definition, if the owner was so far away as to be incapable of exercising control over the dog, the animal would be wandering at large. Thus, the power of the police or a poundkeeper would be considerably greater than it is at present.

Another point worthy of some attention was the query by the member for Brown Hill-Ivanhoe as to why one registered a dog, he alleging that it is purely for the purpose of raising revenue. I do not think the question of revenue enters very largely. The objective of registration, like many other objectives, was that persons injured, annoyed or troubled by dogs in an unlawful way might have some prospect of ascertaining the name of the owner so that they might take any steps the law provided. The Act is some years old, but it contains a penalty of £20 which may be imposed upon

the owner of any dog that rushes at, attacks, worries or chases any person, horse, cattle, sheep, poultry or domestic animal other than those trespassing. There is also this provision—

When a dog has actually bitten any person, the court or justices, in addition to inflicting a penalty, may order that such dog be destroyed forthwith and may give all necessary directions to make such order effective.

There are also other provisions. A dog may be destroyed where it has gone into an enclosed field and there injured or destroyed livestock, and damages may be recovered from the owner.

Mr. Marshall: But the damage must be done before one can take action. That was the argument of the member for Brown Hill-Ivanhoe.

THE MINISTER FOR LOCAL GOVERNMENT: It is impossible to achieve perfection. The registration of the dog and the fact of its wearing a disc, to which the hon. member took some exception, ensures that the owner of the dog can be ascertained so that proceedings may be taken against him. Otherwise it would be quite clear that there would be no means of ascertaining the owners of dogs in the majority of cases.

Mr. Marshall: How would you identify the owner by a disc? Would you catch a dog after it had bitten you?

THE MINISTER FOR LOCAL GOVERNMENT: When a dog is shot or otherwise destroyed, the opportunity to examine it is fairly easily taken advantage of. There are other times when a dog may be safely in hand. As I said a moment ago, we cannot achieve perfection but, if we have not some form of registration, we have no hope whatever. Some members who have spoken have lost sight of the relationship which exists between many men and women, and their dogs. I think in the great number of cases, especially those concerning lonely people, it can be said that a decent dog has been a great friend. Some friendships that have existed between people and their dogs have been such as could excite only admiration. In many cases the dogs have been animals that any man would take a fancy to.

I do not subscribe to the idea that there should be some sort of wholesale extinction of dogs in the metropolitan area,

or elsewhere. I do say, however, that the law is intended to control—and this Bill is designed to make that control better—the activities of dogs whose owners are careless of the way in which they keep and exercise control over them. The member for Guildford-Midland also referred to the minimum penalty. I think he is under a misapprehension. He is apparently under the impression that this penalty is proposed to be imposed for allowing a dog to roam about. He mentioned the case of a small child who might have a dog and not exercise proper control over it. The penalty here is not designed to meet such a case, but for failure to register a dog. In order to have greater control over these animals and to know with greater certainty that they will not do the things which render them anathema in the eyes of some members, registration is essential, and it should be policed more than it has been in the past.

Hon. A. A. M. Coverley: I think the local authorities have been very lax on that point.

THE MINISTER FOR LOCAL GOVERNMENT: I think so, too. When cases have been brought before the courts and lack of registration has been evident, and it has been impossible to discover the owner of the dog without difficulty, the Justices of the Peace have failed, although the Act provides a minimum penalty of 10s., to impose any penalty at all, regarding the registration as something of a joke, so far as I can understand. If that state of affairs is allowed to continue indefinitely, not only will there be no revenue for the local authorities, insofar as that may be part of the equation, but also the possibility of ascertaining the ownership of an unruly dog will be entirely lost. Whilst the existing Act provides for a minimum penalty of 10s., in the present circumstances, because of the mitigatory provisions of the Justices Act, it can be avoided. It was therefore decided to take steps in this Bill to do away with the provisions of the Justices Act in that respect, and make the penalty a minimum one of 10s. That is why that provision was included. It is not to penalise small boys who might be careless. They would be dealt with, if they were dealt with at all, under another section where this minimum penalty provision does not apply and the discretion of the

magistrates would be as usual. There is, therefore, no need to concern ourselves with difficulties arising in that way.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and transmitted to the Council.

BILL—CONSTITUTION ACTS AMENDMENT (No. 2).

Second Reading.

Debate resumed from the previous day.

Mr. SPEAKER: I wish to say a few words in connection with the position of the Standing Orders in regard to the Bill. Last night the Acting Leader of the Opposition was very careful, in his remarks, to avoid offending against Standing Orders in certain directions—as it is very necessary to do so when dealing with the Legislative Council. I am sure every member will follow his example, but just to make the position quite clear I draw attention to the following:—

1. Any offensive remarks against that Chamber are out of order and against Standing Orders.
2. Any reference to the current debates of the Council are out of order.
3. In "May" there is provision that any charge against a member of Parliament, or against his conduct, must be dealt with by a substantive motion.

Those are the three things. Last night we had a concrete example in this House of a member being critical in a political debate, as he was fully entitled to be, but keeping within Standing Orders. I am sure members will follow in the same way.

Hon. J. B. Sleeman: Do I understand that a member cannot name the Legislative Council but, of course, can talk about the "other place?"

Mr. SPEAKER: I have only referred to the Standing Orders.

MR. HEGNEY (Pilbara) [8.24]: I know your remarks, Sir, are not directed at me personally, because I have always tried to follow the same line as you in debate. I

have taken particular notice of the speeches you have made over the years, and have found on every occasion that you have religiously stuck to the Standing Orders. Personally, I shall do that on this, as on every other occasion, and I know that other members who may follow me will have regard to your remarks; and I do not confine that statement to members on the opposite side. The Bill seeks to widen, to a certain extent, the present franchise for the Legislative Council. I think the time is long overdue for the franchise for the Legislative Council to be on an adult basis. The measure proposes to extend it to householders. That is, where a man is now entitled by virtue of his standing to a vote for the Legislative Council, his wife is not.

The Bill is incomplete, to my way of thinking, inasmuch as a man who is a freeholder owning real estate to the value of £50 is entitled to a vote, but his wife is not. I suggest that the Attorney General should look at that position and make provision to extend to the wife of such a freeholder the right to a vote for the Legislative Council. I am surprised that the Bill is as incomplete as it is because, over the years, this Chamber has on various occasions endeavoured to alter the franchise to bring it more into line with its counterpart in the Australian Parliament—the Senate—where all citizens of this country over the age of 21 years and who have been resident in Australia for a certain period, are entitled to a vote. I notice that the Bill contains practically the exclusive provision that householders and those occupying self-contained flats shall be entitled to a vote.

It is amazing that in this age, when we have compulsory education, and every child is bound to remain at school until 14 years of age, and when we have wireless broadcasts, public libraries, daily newspapers, and other means by which our young people can educate themselves to the responsibility of citizenship, they cannot have the right to vote for the Legislative Council unless they are householders or own freehold land of a certain value, or are leaseholders. I do not want to discriminate, but under the Tasmanian and the Victorian Constitutions, provision is made so that apart from certain people who own property and hold certain leases, barristers, solicitors, ministers of religion and certain other approved persons are entitled to a vote for the Legislative

Council. I do not want it to be thought that I subscribe to the policy that there should be discrimination in that way, or that the Government should introduce legislation extending the franchise to those classes of people, and not the people generally.

Although it may not come about this year or next, I believe the time will arrive when all parties will agree that in the interests of the people of Western Australia and of responsible, and parliamentary Government, generally, the second Chamber shall be constituted of representatives elected by the people as a whole. The following matter is one that I mention as being of first rate importance, to members anyway. While it is now sought to widen the franchise to a certain extent, no man or woman under the age of 30 years is yet entitled to nominate for a seat there. That is a grave injustice and a blot on our educational system. We have men who have gone through the university and qualified for various professions, and who have taken a deep interest in the public life of Western Australia, but because they are not 30 years of age they are not entitled to take a seat in the Legislative Council.

Mr. Brady: What about the returned soldiers?

Mr. HEGNEY: Yet, for the wider field—the Senate—the members are elected on an adult franchise basis, and any man or woman over the age of 21 years is entitled to take a seat there if elected. The member for Guildford-Midland interjected "What about returned soldiers?" I do not intend to introduce the question of returned soldiers from the political angle, but suffice to say that I know of many returned soldiers who are hostile and feel aggrieved at the fact that they are not entitled to vote for the Legislative Council unless they face up to the requirements under our Constitution. The position as far as this State is concerned is that various attempts have been made to bring the Legislative Council more into line with modern democratic thought. In addition to our attempts to introduce the adult franchise, an attempt was made some years ago to implement a Bill on similar lines to the one now introduced by the Attorney General, but it failed.

Sometimes similar Bills were thrown out on the second reading and at other times the plea has been that the Bill was introduced

fate in the session. On every occasion that this Chamber has attempted to alter the present franchise and the constitution of the Legislative Council the move has been frustrated. The present position is such that this Bill may pass this Chamber unanimously, but what is likely to happen in the Legislative Council?

The Attorney General: We do not want to debate that here.

Mr. HEGNEY: I think the Attorney General is anxious and sincere in his attempt to have the provisions of this Bill implemented, and I consider that this Chamber is entitled to address itself to the position that has arisen and may arise in the future if the provisions of this Bill are frustrated again. If the Bill goes to the Legislative Council and is thrown out on the second reading, what redress has the Government or Parliament got?

Hon. J. B. Sleeman: None.

Mr. HEGNEY: Of course we have not. I am not going to deal with that aspect because I know that I would be transgressing Standing Orders, but suffice to say that we have previously endeavoured to introduce a Bill to place on the statute book an Act similar to the British Parliament Act of 1911, which would remove from the Council the right of veto as to certain Bills. However, if this Bill, very limited as it is in its application, is passed by this Chamber, proceeds to another place, and is thrown out there, this Chamber has no redress whatever and the people cannot be consulted as to whether they desire a widening of the franchise or not. At present we have a Government by minority. Even if the Bill is passed there is nothing to say that there will be a majority of the adult people of Western Australia who will be able to participate in the election of members to the Legislative Council.

The fact that we have compulsory voting for the Legislative Assembly and none for the Legislative Council as yet, would indicate that the Government should address itself to the question of the advisability of introducing requisite legislation to bring the provisions for the Council into line with those for the Assembly. I think the time must needs arrive when this Parliament will have to approach the position from another angle. I refer to the Statute of Westminster. I do not intend to quote all the

sections because many of them would be irrelevant to the debate, but I propose briefly to mention one of them because it has very definite regard to our position.

Some people have said that the Commonwealth Parliament should take action and refuse to allow a continuation of the present constitution of certain States of Australia, but under the Commonwealth Constitution, as far as I can ascertain and I have made a fairly close study of it, there is no power for the Commonwealth Parliament to interfere with the Constitution of the Legislative Council. When the Commonwealth Constitution was set up in the early part of the century it was the States themselves that delegated or referred certain powers to the Commonwealth, and in consequence the Commonwealth Parliament cannot exercise any prerogative in the direction of altering the basis of the Constitution of the Legislative Council because it actually does not possess the power.

The Statute of Westminster was introduced by the British Parliament as a result of certain conferences and the Act is to give effect to certain resolutions passed by Imperial Conferences held in the years 1926 and 1930 and the statute sets out the relationships which were to exist between the mother of Parliaments—the British Parliament—and the various component parts of the Commonwealth of Nations. It is specifically mentioned in the Statute of Westminster that there are certain exceptions with respect to the States of Australia and Section 9 of that statute provides—

(1) Nothing in this Act shall be deemed to authorise the Parliament of the Commonwealth of Australia to make laws on any matter within the authority of the States of Australia, not being a matter within the authority of the Parliament or Government of the Commonwealth of Australia.

(2) Nothing in this Act shall be deemed to require the concurrence of the Parliament or Government of the Commonwealth of Australia in any law made by the Parliament of the United Kingdom with respect to any matter within the authority of the States of Australia, not being a matter within the authority of the Parliament or Government of the Commonwealth of Australia, in any case where it would have been in accordance with the constitutional practice existing before the commencement of this Act that the Parliament of the United Kingdom should make the law without such concurrence.

If the Legislative Council persists in using its present power to frustrate an attempt by the popular Chamber to widen its fran-

chise, the only practical alternative is for an appeal to be made, either directly or through the Commonwealth Parliament, to the British Parliament which after all set down the Constitution of the Legislative Council of Western Australia. That appeal should be made for the purpose of removing from the Legislative Council its present powers and right to restrict and frustrate legislation of this kind as it goes from this Chamber year after year.

Mr. Marshall: Do you not know that you have to get the sanction of the Legislative Council to do that?

Mr. HEGNEY: As to the aspect mentioned by the member for Murchison, I know to what extent powers can be wielded by the Legislative Council, but I think the time is overdue and some appeal should be made to the British Parliament for the purposes I have indicated. I now intend to deal briefly with one of the main proposals in the Bill and that is one to abolish plural voting. I know attempts have been made to abolish the right of any citizen who owns freehold estate or holds a lease in ten different provinces of Western Australia to exercise ten votes at one election, but another place has repeatedly refused to pass such a measure. I feel that every member of this Chamber will agree that no property owner or person who has wealth or real estate in various provinces, should be entitled to exercise more than one vote at elections. On quite a number of occasions when Bills have been introduced in this Chamber which include provisions for the setting up of boards to be presided over by a chairman and certain members, members of this Government have recognised the need for allowing the chairman a deliberative or casting vote only. Provisions have been inserted where, if there has been an equality of votes, the chairman was entitled to a deliberative as well as a casting vote.

No opposition has been offered to the removal of the plural voting aspect in such Bills and I think that in the wider field affecting the Legislative Councillors the time is long overdue when plural voting should cease. I feel the Bill is very incomplete and nothing short of adult franchise would be sufficient as far as I personally am concerned. In these days it can be said of no man that he is extreme in his ideas or extravagant in his demands if he asks

for the people of his country the same right in elections for both Houses of Parliament in Western Australia as now obtains for the Commonwealth Parliament. I do not think that anyone in his calm moments will say that such a proposition is impracticable or beyond the realms of reason. I consider this is a step in the right direction although I am not sanguine as to the reception it will receive elsewhere. It may be said that it is too late in the session for the Bill to be brought forward and that it may meet with a very curt reception in another place. After all it will be only one of the many fruitless attempts that have been made. On the contrary if the Legislative Council can realise that the present Government has, on many occasions, not seen eye to eye with the Opposition as far as constitutional amendments are concerned, the Legislative Council will realise that the time has arrived when there should be some modification of its franchise and that it should see fit to adopt the provisions of the measure.

HON. J. B. SLEEMAN (Fremantle) [8.43]: One can hardly believe that the Government is sincere in bringing down this measure at such a late hour. Last year the Leader of the Opposition brought down a Bill very similar to this and the Government objected, because it said that it was the Government's policy and right to introduce such legislation. The Government kept us so late that the Bill it introduced was not agreed to. I am not satisfied with this Bill as it stands although it is a step or two in the right direction. For instance it sets out that a householder and his wife, or a householder and her husband are to have a vote for the Legislative Council providing that they have property to the clear annual value of £17 a year. Why the necessity for the clear annual value of £17 a year? Is it only the property man or the wealthy people who are to be allowed to vote for another place?

Let us consider the people who have made this State. Look at the people on the Eastern Goldfields who pioneered the country and blazed the trail—the prospectors who today live in camps and shacks on the fields. They are the men who made this country, and yet they are denied the right to exercise the franchise for the Legislative Council. I do not want to use the returned soldier for

political purposes but, as the member for Pilbara said, a V.C. winner, unless he owns property of a clear annual value of £17, is denied the right to vote. We lauded the soldiers when they were away and said what we would do for them when they returned. They came back, and we denied them the right to vote for the Legislative Council. Everyone, irrespective of whether he owns property of the specified clear annual value or does not own any property at all, should have a vote for the Council just as he has for the Senate. The proposal to abolish plural voting is a step forward, but is long overdue. That system should have been abolished many years ago. Fancy a man owning a block in each of the 10 provinces, being able to cast a vote for each! That is not right, and so the abolition of the system is a step in the right direction.

Before this Bill can become law, it seems to me that the Government should take stock of the position. It has no need to be frightened of the Opposition, but rather of the attitude of its own supporters. Tonight we have had the spectacle of the Government being able to discipline its members when it wants to. It will be necessary for the Government to do it with regard to the Bill. In the House this evening we had the spectacle of one member talking "yes" and voting "no" and of another talking "yes" and then going outside. I hope the Government will discipline its supporters with regard to this Bill and not merely submit it as a sort of catch-cry to enable Ministers to say that they brought the legislation down but were unsuccessful. They can secure the passage of the Bill if they discipline their members and make them support it. Although the measure is not exactly as it should be, it represents a step in the right direction, and I hope the Government will see that it goes through.

MR. GRAHAM (East Perth) [8.48]: Members will appreciate what I mean when I say that, in addressing myself to a Bill dealing with the Legislative Council, it is somewhat difficult for me to be temperate in my utterances. I sincerely hope, not only on account of what you, Mr. Speaker, may have said earlier this evening, that on this occasion at least I may conform to your directions. I remind the House, incidentally, that this will be the first time for two years that I have spoken on a Bill dealing

with the method of election of members of the Legislative Council. Last year, when a similar Bill was introduced, I made no comment whatever. This measure at long last has appeared not on account of any enthusiasm on the part of the Government but because of the persistency of members of the Opposition. In other words, the Government is most half-hearted regarding this particular measure.

The Attorney General: You are a wonderful man! You know all about everything.

The Premier: We are most anxious to get the Bill to the Upper House as quickly as possible.

Mr. GRAHAM: If there were fewer interjections from the Treasury bench, it would get there more quickly.

The Minister for Lands: And let you get away with what you like!

Hon. A. H. Panton: Here is another one interjecting!

Mr. GRAHAM: I shall ignore the interjections of the Minister for Lands.

The Minister for Housing: Yes, it was very disorderly!

Mr. GRAHAM: I say the Government is half-hearted about it—let us be honest for a moment!—seeing that it has introduced the Bill at this later hour.

The Attorney General: Not at all.

Mr. GRAHAM: Last year the Bill was introduced a month earlier. Every member knows that there are still important measures that have yet to be introduced, although probably they are not as controversial as that now before the House. We have many items on the notice paper, and members generally are equally as anxious as the Government to end this session of Parliament at the earliest possible moment. As was pointed out by the Acting Leader of the Opposition, this procedure is merely presenting members of the Legislative Council with a pretext to defeat the measure. I say that there is no enthusiasm about this subject because last session when the Minister for Housing introduced a Bill almost identical with that now being discussed and later when the Minister in the Legislative Council presented the Bill there and again when the Attorney General submitted the present Bill to this Chamber, they made no strong pleas

for support. They presented no strong reasons or arguments for the adoption of the legislation so that the second Chamber could be made more democratic.

The Attorney General: Do you think there is any doubt about the Bill being passed in this House?

Mr. GRAHAM: No.

The Attorney General: So you just wanted me to waste the time of members!

Mr. GRAHAM: No. In my opinion, a duty devolves upon the Minister introducing a measure to present some factual information to emphasise the real necessity for broadening the franchise of the Upper House, and the Attorney General has certainly not done so. Every member knows full well that only a minute fraction of the people is enrolled and an almost insignificant proportion of that fraction records votes at Legislative Council elections. At the election held early this year in my electorate of East Perth, where 8,000 people reside, only 400 voted at the Council election. I suggest that the attitude of the people in my district is very little different from that of people residing in other electoral districts. There is apparent a feeling of frustration and apathy and lack of interest because of the considerations that make it possible for so many people to be denied the right to vote for the Upper House.

Speaking broadly from my side of the political fence, in the great majority of instances it is absolutely impossible for the Labour candidate to be returned to the Council, irrespective of what the result may be when the people have an opportunity of choosing their representatives in the Legislative Assembly. By and large, the thousands of people throughout Western Australia who are denied a vote for the Legislative Council are the ordinary people of the community, those who, in the great majority of instances, vote Labour at election times. Therefore these restrictions have the effect of debarring Labour supporters and sympathisers from playing an important part—shall I say, an increasingly important part—in the government of the State. It has been revealed to us, more especially in recent times, that the real seat of government in Western Australia is at the other end of this building.

I was interested to read, in order to refresh my mind, of what occurred when a Bill, similar in construction and almost identical with that under discussion, was before the Legislative Council last year. On that occasion, the measure was defeated by the combined votes of Liberal and Country Party members who previously had taken their places on the platforms in various parts of the State, asking the people to return, among others, those who now comprise the Government and their supporters in this Chamber. They asked the people to return Liberal and Country Party candidates for the purpose of allowing the Liberal Party an opportunity to show what it could do, not perhaps in conformity with the policy of the Liberal and Country Parties but at least in conformity with the policy speeches of their respective leaders. Yet almost to a man, those same persons voted against the Bill which sought to give effect to the pledges made by the leaders of those parties, which resulted in their securing the support of a majority of people of Western Australia and led to the formation of the present Government.

On reading through the speeches during that debate, I was struck by the fact that in the majority of instances objection was taken to some minor point in the Bill or to the fact that there had been an omission of some insignificant point. Instead of the measure being moulded to meet the desires of individual members, it was defeated; and Liberal and Country Party members voted against it—with one exception. That Liberal member, without any substantial reservations, supported the Bill. Of course, he was later liquidated. That was the penalty he incurred for endeavouring to give effect, not to a particular fancy of his own, but to the undertakings given by the present Premier and Deputy Premier and endorsed by the people of the State.

The Minister for Housing: Do not say that because you are spoiling quite a good speech.

Mr. GRAHAM: I do not think that what I have said about the unfortunate occurrence last year can in any way be controverted. I wonder why we in this year of grace still adhere to the old and odd belief that there is some particular virtue in possessing property or indirectly having some interest in it. Surely the most im-

portant factor in the community is the individual! Therefore considerations of citizenship should be the determining factor in relation to the responsibilities to be exercised by the people. As I have said, there still persists a belief that a particular virtue attaches to property. We have people who are admirable and estimable to the ninth degree but are denied the right to vote for members of the Legislative Council.

Irrespective of the amount of intelligence a person may possess, no matter how great his educational attainments may be, or the extent of his knowledge of political affairs, be he ever so respectable and law-abiding, honest and industrious as a worker, though he may hold or have held responsible public positions, though he may have served his country with honour in the Armed Forces and even won distinction, none of those qualities is taken into account in determining whether he shall be entitled to enrolment for the Council. Thus, after two World Wars which were fought to ensure the survival of our democratic way of life, we still have no democracy in our elections. Land and property and indirect association with them are the considerations that transcend all else.

Some years ago, when speaking on a similar measure, I erred in asserting that second Chambers were redundant because, when they include a majority of members of the opposite political colour to the Government of the day, they serve no purpose other than that of being obstructive, but when a majority were of the same political outlook as the Government party in the Assembly, they became a mere rubber stamp. While that was true of my political experience up to the time of speaking, recent events have indicated that in any circumstances the Council is obstructive to the Government irrespective of its political creed. On many occasions since I have occupied a seat on this side of the House, I have felt genuinely sorry for the Government, because it has sincerely introduced legislation only to find it mercilessly dealt with at the other end of the building. Like the member for Pilbara, I shall not be satisfied until we have adult suffrage for the Council to ensure that democracy shall prevail in this State.

The present state of affairs is having a most deplorable effect upon the people gen-

erally, an effect perhaps quite the opposite from what the Legislative Council as constituted would desire. An increasing number of people are tending to become extreme in their outlook because of the hopelessness of the situation. When a Parliament has been elected and a party has secured a majority, no obstruction should be placed in the way of the Government in its work of governing the country. This Bill represents only a small instalment of what I desire because it will still deny many thousands of persons the right to exercise a vote for the Council.

However estimable they may be as citizens, they will be denied this right, while the biggest scoundrel in the community, provided he owns a block of land or rents a house, will be qualified to vote for the Council. I claim that there is no qualification for enrolment for the Council but that there is a special dispensation for certain classes of people. However much we may amend the Bill, there will still be hundreds of persons, most important in our economic make-up, who will be denied the vote. I instance the timber workers, many hundreds of whom, and their wives, as well as their sons and daughters over the age of twenty-one, will not have a vote for a section of what ought to be a democratic Parliament.

In the past it has been asserted—and with a certain amount of validity in the then prevailing state of affairs—that it was the duty of the Legislative Assembly first of all to take steps to bring about a fairer distribution of seats than existed. There was a disparity of numbers, ranging as they did from a few hundreds to many thousands in various constituencies. Action has been taken to remedy that; therefore there can remain no valid reason or pretext for defeating the Bill.

I hope that the Legislative Council—I address these remarks to the members on the Government side—will bear in mind that it has an obligation, not only to the people, but also to the parties constituting the present Government. If there be a repetition of what occurred twelve months ago, it will mean that, irrespective of what has been submitted by leaders of the Government parties when elections have been held, and irrespective of the volume of public support they received, there is still no guarantee that a Government, returned perhaps with a tremendous majority, will be

in a position to give effect to any one of the undertakings contained in the Premier's Policy speech. That is a regrettable state of affairs. I believe that, in order to preserve a certain amount of integrity in relation to the policy speeches of leaders at election time, a definite duty devolves upon the Council on this occasion.

The points contained in this Bill were specifically mentioned in the Policy speeches of both the Leader of the Liberal Party and the Leader of the Country and Democratic League. Both promised to give effect to what they told the electors. I hope I have succeeded in what I set out to do, which is to make my position perfectly clear, and I trust I have done so without sharply reflecting upon the integrity of members of any party or of either Chamber. I repeat, this Bill is merely an instalment of better things to come. I hope the day will dawn when every adult in the State will be entitled to vote for persons of his own choosing to constitute the personnel of the two Chambers of the Western Australian Parliament. I am certain that then there would be greater respect for the State Parliament than now exists. At present, there are many who have a feeling of frustration and futility. To those people who hold strong opinions on the subject of State rights, I would say, "Give this matter some consideration."

I know from experience that there are many thousands of people who prefer State Parliaments, but because of the obstructive tactics of the Legislative Council, they feel that the only way out of the difficulty is to have a Commonwealth Parliament, or a Parliament that would be able, without hindrance or frustration, to give effect to its undertakings made when seeking the suffrages of the people. Members will appreciate that there are many points of view as to safeguarding some of the remaining State rights. I do not wish to over-emphasise that matter, but it is one that those who are keen on the point might bear definitely in mind. Secondly, the people should be able to give credence to the utterances of party leaders at election time; thirdly, after all the many battles and attempts to broaden the franchise for the Legislative Council the people of Western Australia should be entitled to vote periodically for the people who, for a period, will constitute the Government and the Parliament of the State.

Our people are entitled to that, having proved themselves during periods of economic hardship and acute crises, such as the war, to be in every way responsible and therefore entitled to exercise what I believe to be the foundation of democracy, the right to vote for representatives of their own choice.

The people elected could be called to account by the electors at the end of their term. I am not suggesting that it is so at the moment, but there is a possibility of recklessness and irresponsibility on the part of party representatives. That is because the majority of the people cannot at present vote for members of the Legislative Council, the members of which can do all sorts of extraordinary things that run counter to the popular will. That is simply because they are not answerable to the people at large, but only to a section of them. Unfortunately, there is a tendency for the State Parliament to be held in a certain measure of contempt on that account. My views regarding parliamentary matters in Australia are generally known. So long as we have a Parliament in Australia, whether it be Commonwealth or State or any other type, I shall do everything possible to see that Parliamentary rules are preserved, even though I might disagree with them.

For that reason—and I conclude on this note—I have every year since I have been a member of this Chamber brought several hundred children to Parliament House with the object of teaching them something about Parliament and to inculcate in them an interest in parliamentary institutions. While I explained the principles of Parliament to these children I endeavoured to do so naturally and without any party political flavour whatever. I pointed out to them coolly and impartially that the Legislative Council was elected by only a section of the people who were entitled to vote for its members. I found it was beyond the comprehension of these students and young people because they honestly believed that every person over the age of 21 had to vote for every public body in Australia. I have much pleasure in supporting the Bill.

MR. MANN (Beverley) [9.17]: I listened with much interest to the speech of the member for East Perth in which he said that he explained the principles of Parliament, without political bias, to the schoolchildren

whom he brought to the House. Have members ever heard anything like that before? With regard to the Bill, the measure is the result of the Policy speeches of the leaders of the parties comprising the Government. I agree, as members on both sides of the House no doubt will, that leaders make foolish policy speeches.

Hon. A. A. M. Coverley: Are you speaking for yourself?

Mr. MANN: I am speaking of my side, too. For years I have listened to many foolish policy speeches.

Hon. A. A. M. Coverley: And delivered a few?

Mr. MANN: How can this Chamber reform the Legislative Council? Anyone knows that this Chamber has no chance of doing so without the Council's approval. This Bill will go out on the second reading in the Council; nothing is surer than that.

The Premier: You are wrong. Your judgment is bad.

Mr. MANN: My judgment is not bad. I would not mind taking a bet with the Premier that the Council will toss the Bill out on the second reading.

The Premier: No.

Several members interjected.

Mr. MANN: I will take the Premier up on this bet.

Mr. SPEAKER: Order! The hon. member will proceed with the Bill.

Mr. MANN: As I said, the Bill is the outcome of the Policy speeches of the leaders of the Liberal Party and the Country and Democratic League.

Hon. J. B. Sleeman: That is how they got into power.

Mr. MANN: Does the hon. member think the public worried about those Policy speeches? If we abolished compulsory voting, there would not be a 50 per cent. poll. I think we ought to abolish compulsory voting. Why should people be forced to vote for this Chamber? What was the position prior to the introduction of compulsory voting, which was brought about by our party? The result was a 60 per cent. poll. The people of Australia are sick and tired of politics.

Hon. A. H. Panton: I do not blame them if they must listen to speeches like yours.

Mr. MANN: I do not blame them myself. I am not casting reflections on the principle of Parliament. The Government has brought down this measure knowing full well that it will be defeated.

Hon. A. H. Panton: That is lovely!

Mr. MANN: What the Government has done is to give the Opposition a chance to vilify the Council. They will be able to trounce the Council and refer to all its faults. The Council was in power before this Chamber.

Mr. Hegney: Who put it in power?

Mr. MANN: The Imperial authorities. The member for Pilbara quoted the Statute of Westminster. We have severed the last link with Great Britain, and he knows the Mother Parliament has no power to control any of the Australian Parliaments. His speech on that point was absolute rot, because in 1939 the Statute of Westminster was abolished.

Mr. Hegney: I did not think you had the capacity to understand it.

Mr. MANN: I admit the hon. member made a brilliant speech.

Hon. J. B. Sleeman: It was sincere.

Mr. MANN: I did not follow it, anyhow. I am sorry this Bill has been brought down. I was candid on the hustings; I did not mention any liberalisation of the Council franchise.

Hon. J. B. Sleeman: Is not that the policy of the Country and Democratic League?

Mr. MANN: I am not concerned about the policy of my own party on these lines. I will enjoy freedom on the hustings as long as I am in Parliament.

Mr. Fox: You are an acrobat.

Mr. MANN: I am not, and I am not as hidebound as are members on the other side of the House. When the whips crack, members on that side follow straight away.

Several members interjected.

Mr. SPEAKER: Order! The member for Beverley must confine his remarks to the Bill.

Mr. MANN: I am sorry to have got away from the measure, but it was due to some extent to the interjections of members. I

am not going to dissect the Bill, but I believe the Council will not pass it.

Hon. J. B. Sleeman: We think that, too.

Mr. MANN: I think the Government brought it down to carry out its Policy speech.

Hon. A. H. Panton: Are not members of your party in the Upper House bound by the party?

Mr. MANN: I am not allowed to digress. The Speaker has already called me to order and I have no desire to disobey him. This House has no power or right to bring a Bill down to alter the franchise for the Council.

Hon. A. H. Panton: "Constant dripping," you know.

Mr. MANN: Constant dripping may wear away the hardest stone, but I doubt whether we in this House have any right to discuss the actions of another place.

Hon. A. H. Panton: You are getting worse and worse.

Mr. MANN: What would be our reaction if the Council introduced a Bill to abolish or alter this House, as it has a perfect right to do? Even if the Bill passed, would it have any effect on the legislation of the State? I do not think it would help towards the making of better laws. I believe that if the Council was abolished we would have worse laws because, as we see today, we have suspended Standing Orders and will be pushing Bills through at the rate of almost one a minute shortly—this applies to all parties. They receive mighty little deliberation here. The Council serves a useful purpose in this regard, because it can discuss those Bills.

Mr. Graham: They go through there just as quickly as here.

Mr. MANN: No, I regret that this Bill has been brought down; I think it is entirely futile. The member for East Perth referred to the Government consisting of two parties.

Mr. Hegney: It consists of three parties.

Mr. MANN: He said that because of the Policy speeches, and because some members of the Legislative Council belong to the Government parties, they should be forced to bow their knees to the Government. That is entirely wrong. This Government is a democratic one, and, in addition, the Legislative Council is a non-party House, or it is regarded as one, anyhow.

Mr. Fox: There is only one non-party House.

Mr. MANN: That House has a perfect right to decide what it shall do. The Bill, no doubt, will receive its just reward in another place; and its just reward can be quite easily visualised by members here. When Policy speeches are delivered on the hustings more caution will, in future, be displayed.

Hon. A. H. Panton: We shall take more notice now.

MR. FOX (South Fremantle) [9.26]: I am sure the Premier must be very embarrassed by the speech of the member for Beverley. What a comic opera Government this is! It is a pity Gilbert and Sullivan are not alive. The members of the Government said on the hustings that they would re-form the Legislative Council, and later they decided to bring down a Bill, and now we are met in solemn conclave to discuss it. The position reminds me of Pooh-Bah in "The Mikado." He occupied all positions. As one functionary he said he was prepared to give a sumptuous banquet, but then as Treasurer he said he was not prepared to give it because the cost would be too great. The Government here is bringing down a Bill on similar lines. The member for Beverley has told us that it has no chance of going through.

The Premier: That is the opinion of the member for Beverley. I differ.

Mr. FOX: The Government has some say in that regard to certain members of the Upper House who are members of the Country and Democratic League or the Liberal Party, with the exception of Mr. Miles who is an Independent.

Hon. J. B. Sleeman: Who said that?

Mr. FOX: He said it himself, and I believe he is an honourable man. If the Government was dinkum about this business and it did not get the Bill through, it would campaign against the members of the Legislative Council in the country, to have them defeated, and we would give a hand. It is only playing with matters to bring down a Bill knowing full well what the result will be. The Government knows it will not pass. I believe that everything possible in regard to the extension of the franchise for the Upper House has been said over and over again

during the last 42 years. That is the period that has elapsed since the members of the Liberal Party endeavoured to liberalise the franchise for that Chamber. I believe the only way to liberalise the Upper House is for the rank and file of the unionists to do a little organising in the various constituencies. At one time we had representatives for five provinces. If we got out and did our job in these districts we would do more than by introducing Bills here. We have never had a chance of getting a Bill such as this passed through the Upper House. No matter what we say here, it will not influence any member in that Chamber. I have no doubt we will get a majority for it here, although the member for Beverley will not vote for it. Perhaps if the Premier puts his spurs into the hon. member, as he did tonight to the member for Geraldton, he might even bring him to heel.

The Premier: Did I quieten him?

Mr. FOX: Yes, also the member for Canning, who made a fine speech in support of the Bill—then the Premier probably said someone had better have a word with him—

The Premier: There is a lot of supposition in what you are saying.

Mr. FOX: This Government will go down in history as the Comic Opera Government. I am sorry that Gilbert and Sullivan are not still alive.

The Premier: Even they could not live for ever.

Mr. FOX: They would have had better stuff to work on here than they had in the case of "The Mikado."

HON. E. H. H. HALL (Geraldton) [9.31]: I would not have taken part in the debate had it not been for the Gilbert and Sullivan effort of the member for South Fremantle. I have listened to statements of various members of the Opposition tonight and, as the member for South Fremantle mentioned, they have repeated those statements over the last 42 years.

Mr. Fox: I said that all this had been repeated over the last 42 years.

Hon. E. H. H. HALL: Notwithstanding the solemn assurance given by the member for East Perth, it is evident that when anyone on this side of the Chamber attempts to give utterance to his views, if they are

not shared by members on my right he is not allowed to go far before being subjected to considerable interruption.

Mr. Needham: That is a grave reflection on the Speaker.

Hon. E. H. H. HALL: The member for Fremantle was on his feet for about five minutes, and during that time he made two statements that were at variance with fact. One was that the franchise for the Legislative Council was a property franchise, and the other was that the member for Geraldton spoke and voted in opposite ways. In fact, I said that unless the Minister could satisfy me as to the statements made by the member for Murchison, I would seriously consider how I should cast my vote.

Hon. J. B. Sleeman: You are easily satisfied.

Hon. E. H. H. HALL: Why not stick to the facts instead of indulging in misrepresentation?

Hon. J. B. Sleeman: You spoke one way and voted the other.

Hon. E. H. H. HALL: I take exception to that. It is not in accordance with fact. If the member for Fremantle has any sense of responsibility as a member of Parliament, he will not continue to indulge in utterances of that description, because they reflect no credit on him or on this Assembly. I ask you to call him to order, Mr. Speaker, because he is giving expression to something that is not correct. I wish now to deal with the Bill and with statements at variance with fact made by certain members on the other side of the Chamber. For years I have listened to misrepresentations by members of the Labour Party—deliberate misrepresentations. When the franchise of the Legislative Council is repeatedly referred to by members of the Labour Party as a property franchise—

Hon. A. H. Panton: It should be called a profiteering franchise.

Hon. E. H. H. HALL: That is a misrepresentation.

Mr. Hoar: Prove it!

Hon. E. H. H. HALL: Members opposite know as well as anyone does that that is a misrepresentation, because any man who pays 7s. 6d. per week rent, though he may hold no property at all, has the right to

enjoy that franchise. Why continue to utter deliberate misstatements in saying that it is a property franchise? Members opposite do not take the trouble to explain to the people that a man holding property worth £5,000 has no more voting power than a man with property worth £50? I take exception to the continued and deliberate misrepresentation by members of the Labour Party who say this is a property qualification. It is nothing of the kind. The member for Beverley was quite correct in what he said about the interest taken in the voting. Surely we should be allowed to state our opinions here. What is a deliberative assembly if members are subjected to continual interruption when they rise to express their views?

The members for East Perth and Pilbara did not bring forward any new facts, to my way of thinking, and yet they were given an attentive and uninterrupted hearing. However, the moment a member on this side of the House gets up to speak he is subjected to continual interruption. Had it not been for compulsory voting, I am of the opinion, expressed by the member for Pilbara, that the people of this State are so fed up with the political game as played here that this House would not have had a much better rate of voting than that of the Legislative Council. But this House, in years gone by, was told that self-preservation is the law of nature. Members could see what was coming to them so they said to the people, "We will fine you if you do not come along and vote for us."

It is the fear of that fine that makes the majority of people vote for members of the Legislative Assembly, so I say that they have nothing to pride themselves upon when speaking of the few people who take the trouble to vote for members of the Legislative Council. As a member of the Legislative Council I frequently had differences of opinion with my fellow members, but whilst I was there a member brought down a Bill and was responsible for the appointment of a Royal Commission which did more good for the coalmining industry in this State than did many members on the other side of the House who had so much to say about the injured worker. That man was the Hon. George Miles, M.L.C., who was not a member of my party.

MR. BRADY (Guildford-Midland) [9.38]: It has been said that one can fool some of the people all the time, all the people some of the time but not all the people all the time.

Mr. Fox: Who said that?

Mr. BRADY: A very wise man, and there is a lot of truth in it. I believe that the present Government will be put to the acid test in regard to this measure. I support the Bill because I believe the liberalising of the Legislative Council franchise could quite possibly change the whole face of the representation in the Metropolitan-Suburban Province, in which I live. I have made a rough estimate of the cost of the Legislative Council. It runs into no less than a direct charge of £35,000 per annum on the taxpayers of the State and approximately another £10,000 as an indirect charge. I question whether the consideration given to legislation by that Chamber is worth £50,000 per annum to this State. Recent experience shows that the proportion of electors to vote for that Chamber averages about 30 per cent.

The average person has lost faith in the Legislative Council and does not care to have anything to do with it. I intend to vote for the liberalisation of the franchise because I believe it is possible to have more representation from the industrial centres which are deserving of it. At the moment in the Legislative Council all the representation for the suburban electorates is in the south end of the metropolitan area. There is absolutely no representation in the north end of the electorate because the people, in a good many cases, have not the franchise to vote. I consider the Queensland people were on the right track when they abolished the Legislative Council some years ago. There is no Legislative Council in Queensland and therefore it must be saving anything up to £30,000 or £70,000 a year. In these days when people are receiving inadequate wages they can do with more social amenities such as hospitals and schools and the Legislative Assembly could well consider abolishing the Upper House. I support the second reading of the Bill.

THE ATTORNEY GENERAL (Hon. A. V. R. Abbott—North Perth—in reply) [9.41]: The speeches that have been made have been extremely interesting although I consider they did not deal with the subject-matter of the Bill.

Hon. A. A. M. Coverley: You must not reflect on the Chair.

The ATTORNEY GENERAL: There has been a good deal of speculation as to what might or might not happen to the Bill.

Mr. Fox: There is no speculation as far as I am concerned.

The ATTORNEY GENERAL: With that I have no serious objection but I do object to the suggestion that the Bill is put forward without any sincerity. I know that members do not believe that statement.

Mr. Marshall: We will see what the Legislative Council does about it.

The ATTORNEY GENERAL: This Government would not do a thing like that. I can assure members that opportunity will be given to debate the Bill both in this House and another place before Parliament rises. I have the Premier's assurance that both this House and another place will have every opportunity to debate the Bill to the fullest extent. Similar Bills have been considered not only by this House but also by the Upper House over the last three years. So when it is suggested that there is no time for the Upper House, or this House, to become fully aware of the terms of the Bill, I do not think the statement will hold water.

Mr. Hegney: Other arguments have been advanced like that.

The ATTORNEY GENERAL: They might have been advanced.

Hon. A. R. G. Hawke: Nearly as often as prayers.

The ATTORNEY GENERAL: All members are fully aware of the terms of the Bill and all the arguments for and against it. Although the Acting Leader of the Opposition made some comment on the length of time I devoted in support of the Bill I notice that although he supported it he did not take the trouble to debate it himself. He did not deal with the provisions of the Bill for two minutes, so his arguments do not cut much ice.

Hon. A. H. Panton: What about the member for Beverley?

The ATTORNEY GENERAL: This Bill will be a step forward in giving to those people who are the most important members of the community—

Hon. J. B. Sleeman: Who are the most important in the community?

The ATTORNEY GENERAL: The family units; the mothers and fathers.

Hon. J. B. Sleeman: Who pay £17 a year?

The ATTORNEY GENERAL: This is an attempt by the Government to give those people a greater say in the affairs of the country.

Question put.

Mr. SPEAKER: As the Bill must be passed by an absolute majority of members, I have counted the House and assured myself that there is an absolute majority present. There being no dissentient voice, I declare the question duly passed.

Question thus passed.

Bill read a second time.

In Committee.

Mr. Perkins in the Chair; the Attorney General in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 15:

Hon. J. B. SLEEMAN: I move an amendment—

That in paragraph (b) the following words be struck out:—"The clear annual value of which dwelling-house or flat is seventeen pounds."

The Attorney General had the impudence to tell the Committee that this catered for the most important people in the community. When I asked him who they were he said, "The family units." A man who has no children or never intends to have any children and pays over £17 a year is to have a vote, but a man with 12 or 15 children—if he is a timber worker in the great South-West—and pays £12 or £14 a year will not be entitled to vote.

Hon. A. H. Panton: He would not have time.

Hon. J. B. SLEEMAN: A man may live in Beverley and keep a few pigs and pay over £17 a year and would be entitled to vote. Another man might live in Beverley and do valuable work for the country and pay a small rent only, but he will not be permitted to vote. There may be the case of an owner of a furniture factory who would have a vote but his foreman, if

he did not happen to pay £17 a year even though he carried on the main job in the factory, would not be entitled to vote. There might also be the case of a man owning a hotel in the great North-West, and he would be sitting in the cool breezes of the south and enjoying a vote while a man working at his hotel in the North would not be permitted to vote for the Legislative Council. Men who are the salt of this country are living in tents today. They are the people who blazed the track and made this State what it is today. There are old prospectors living in shacks in Coolgardie and Kalgoorlie who will be denied the right to have a vote for members of another place. I hope the Committee will agree to the striking out of the words I have indicated.

The ATTORNEY GENERAL: I cannot accept the amendment, neither do I think the member for Fremantle put it forward seriously.

Hon. J. B. Sleeman: I was never more serious in my life. If I looked sour perhaps you would agree with me.

Mr. Styants: Look natural.

The ATTORNEY GENERAL: The object of the Bill is to provide that any householder, the wife or husband or both, shall have a vote. When we place a weekly value of 6s. 9d. as the qualification of a householder, that must embrace practically everybody.

Hon. J. B. SLEEMAN: There are many men in the timber mills paying only 5s. a week. Some of these people have large families but the Attorney General would deny them a vote.

The Honorary Minister: The rent should be raised to 6s. 9d.

Hon. J. B. SLEEMAN: What do you know about that? There are people living in tents on the Goldfields and many of these have just come back from fighting for us. Some of them may have earned great distinction in the Forces but they will not be entitled to vote for another place. All those I have mentioned should be given a vote.

Hon. J. T. TONKIN: The provision which the member for Fremantle seeks to eliminate is, under existing conditions, an anachronism. In the earlier days it was

possible for most people to rent some form of dwelling-house but today hundreds of people cannot obtain a house on which to pay rent. Some time will elapse before all that is properly adjusted, but those concerned are to be disqualified because of circumstances over which they have no control. That is not a reasonable proposition. If a person chooses to live in the bush without any habitation, in most instances he would not be interested enough to vote. On the other hand, if he goes to the country to take up work and the only type of habitation available to him is one for which a very small rent is paid, smaller than that stipulated, he is not to get a vote. A person may be prepared to pay more rent but cannot find a house the rent of which will enable him to record a vote.

So it is that we are reaching a farcical situation. We confer votes upon people because they happen to be paying a certain rental but deny it to others who cannot secure the necessary accommodation. There are instances where three families are living in one house but only the parents of one family would be entitled to vote. That sort of thing should no longer be tolerated. The Government should confer the vote upon all those people who are capable of exercising it without any financial restrictions whatsoever. If the amount were made 1s., because of existing conditions, thousands of people would not be eligible to record a vote.

Hon. E. Nulsen: There are 10,000 of them at least.

Hon. J. T. TONKIN: If the Minister for Housing had answered my question today I think we would have learned that there are 2,000 persons belonging to two- and three-unit families who are still seeking rental homes. We can imagine how many thousands of other people are applicants for homes. The present situation cannot be justified and we should admit that the existing provisions are archaic. All adults should be entitled to representation in both Houses of the State Parliament.

Mr. HOAR: The Minister has given no justification for this discrimination between various people. If he has any doubt about the number who will be automatically debarred from having a vote for the Council, he has only to look to the timber industry.

About 3,500 men are employed on the mills. Most of them are married, many of them have grown up families and a considerable number are thus debarred from voting because of the low rentals they pay. Members of this Chamber should be of sufficient standing to be entitled to a vote for the Council, and yet I sat here for two years without having that right. Does the Minister consider that to be fair in this supposedly democratic country? Is there any real justification for fixing any rental as the qualification for a vote? Can the Minister give any reason why people over the age of 21 should not have a vote for the House that has the final say in the legislation in which all are personally interested?

Mr. BOVELL: One of the arguments advanced by the member for North-East Fremantle did not do him justice. I agree that the 2,400 people waiting for rental homes might be temporarily disfranchised, but the hon. member led us to believe that those waiting for permits would not have the right to vote.

Hon. A. H. Panton: Why, there are scores of them in my district living with in-laws.

Mr. BOVELL: When people apply for a permit to build, they have a block of land.

Hon. A. A. M. Coverley: Not necessarily.

Mr. Hoar: What about the timber workers whom you represent?

Mr. Hegney: Whom he misrepresents.

Mr. BOVELL: Before a permit is entertained by the Housing Commission, the applicant must be in possession of a block of land, and that normally would be of a value of £50. I should like the member for Pilbara to visit the timber mills and inquire whether I have misrepresented the workers there. I had a tribute paid to me publicly for what I had done for the timber workers at Nannup. Let the hon. member ask the timber workers of Jarrahwood, Wycheliffe and Karri-dale whether I have misrepresented them.

Mr. Hoar: What about the question before the Chair?

Mr. BOVELL: I have clarified the point on which I rose to speak.

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

Ayes	20
Noes	22

Majority against	2
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AYES.

Mr. Brady
Mr. Coverley
Mr. Fox
Mr. Graham
Mr. Hall
Mr. Hawke
Mr. Hegney
Mr. Hoar
Mr. Kelly
Mr. Marshall

Mr. May
Mr. Needham
Mr. Nulsen
Mr. Panton
Mr. Reynolds
Mr. Sleeman
Mr. Smith
Mr. Styants
Mr. Tonkin
Mr. Rodoreda
(Teller.)

NOES.

Mr. Ackland
Mr. Bovell
Mrs. Cardell-Oliver
Mr. Cornell
Mr. Doney
Mr. Grayden
Mr. Hill
Mr. Leslie
Mr. Mann
Mr. McDonald
Mr. McLarty

Mr. Murray
Mr. Nimmo
Mr. North
Mr. Read
Mr. Seward
Mr. Shearn
Mr. Thorn
Mr. Watts
Mr. Wild
Mr. Yates
Mr. Brand
(Teller.)

PAIRS.

AYES.
Mr. Wise
Mr. Triat
Mr. Leahy

NOES.
Sir N. Keenan.
Mr. Naider
Mr. Abbott

Amendment thus negatived.

Mr. GRAHAM: We have agreed that the wife or the husband of a householder should be entitled to vote for the Legislative Council. It seems to me to be an anomaly, however, that the wife or the husband of a freeholder is not so entitled to vote. The matter may be of academic interest only, as the clause has been dealt with. I should like the Attorney General to explain the reason, however, as I think his explanation might give the measure a better chance of passing through the Legislative Council.

The ATTORNEY GENERAL: It was not the desire of the Government to give greater voting power to the property-holder; it was the Government's desire to give greater voting power to householders, as they must undertake family responsibilities.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

The ATTORNEY GENERAL: I move—

That the Bill be now read a third time.

Question put.

Mr. SPEAKER: I have counted the House and assured myself that there is an absolute majority of members present. I declare the question duly passed.

Question thus passed.

Bill read a third time and transmitted to the Council.

BILLS (3)—RETURNED.

- 1, Nurses Registration Act Amendment.
 - 2, Public Service Appeal Board Act Amendment.
 - 3, Land and Income Tax Assessment Act Amendment.
- Without amendment.

BILL—PUBLIC LIBRARY, MUSEUM AND ART GALLERY OF WESTERN AUSTRALIA AND DISPOSAL OF PUBLIC DOCUMENTS.

Second Reading.

Debate resumed from the 17th November.

HON. A. H. PANTON (Leederville) [10.17]: This is a Bill to repeal the existing law, which was passed in 1911, governing the Public Library, Art Gallery and Museum. The measure provides that it shall come into force on a day to be proclaimed by the Governor. While listening to the Minister introducing the measure, I formed the opinion that it was a simple Bill for the purpose of extending the library section with the help of the Education Department. On analysing the Minister's speech, however, it seemed to me that there was a great deal more in the Bill than appeared on the surface. The Minister said he had discussed it with the Director of Adult Education, Professor Alexander, and the Acting Director of Education, Mr. Edmondson. I would like the Minister to say why he chose those two gentlemen. Whilst I have the greatest admiration for them, it does seem extraordinary that he should not have consulted the 14 members comprising the body of trustees of this institution, some of whom have held office for the better part of 40 years and others over 20 years. Not one of them, I understand, was asked his opinion of this legislation.

I am not at all surprised that the Minister said the two gentlemen with whom he discussed the Bill were in favour of it. In

view of the fact that the Bill proposes to take the control of this institution out of the hands of the trustees altogether and transfer it to the Education Department, I should say that those two gentlemen would be in favour of it. I suggest to the Minister that the measure is undoubtedly a vote of censure on the 14 gentlemen who have been controlling the various departments of this institution. I heard many years ago of a gentleman named Venn, who was sacked in his nightshirt by the late Lord Forrest, then Sir John Forrest. But these men, it seems to me, are being sacked without even their nightshirts, because they knew little or nothing about this measure. I understand that Venn knew he was in some sort of trouble. Reference to the Bill only appeared in the Press last Wednesday week and some of the trustees, knowing I had secured the adjournment of the debate, rang me to find out what it was all about.

It is interesting to know who are the 14 trustees. Twelve of them are nominated by the Governor and two are co-opted by the 12. They are—Sir John Patrick Dwyer, Chief Justice, chairman; Mr. Walter Dwyer, retired ex-President of the Arbitration Court; Professor Cameron, University; Professor Currie, University; Mr. C. W. Hadley, M.A., retired Director of Education; Mr. Lemon, qualified journalist on "The Daily News"; Sir Thomas Meagher, Doctor of medicine; Mr. G. Little, Director of Education; Dr. Somerville, for more than 30 years workers' representative on the Arbitration Court bench, and for a considerable period associated with the University, retired; Mr. Rowbotham, retired art teacher; Mr. Malcolm U'ren, journalist on "The West Australian," and author; Mr. Justice Wolff, Supreme Court, and Mr. Claude Hotchin, business manager. It would be difficult to get 14 men more capable and more representative of the public of the State.

In 1919 the then Mitchell Government asked the Australian Labour Party to nominate a representative of the employees to go on this trust. I had at the time just been elected general president, and I was recommended and subsequently appointed by the Mitchell Government. I occupied that position from 1919 to 1938, when I resigned on going into the Ministry. The late Mr. Ernie Barker was also a representative of Trades Hall on the trust, and the late Percy

Trainer, who was general secretary of the A.L.P. and was subsequently the workers' representative on the Arbitration Court, was also appointed to the trust. On the death of Mr. Trainer, that, for some unknown reason, was the end of direct representation of the Australian Labour Party among the trustees. I do not know Mr. Claude Hotchin; I have never met him.

The Minister for Housing: He is a well-known art expert.

Hon. A. H. PANTON: There are a couple of art experts, without him; but that does not alter the fact that after all these years we might have had some information as to why this great Australian Labour Party, representing as many people as it does, was debarred from representation. I am rather pleased that it has no representative among the trustees because I cannot be accused tonight of putting up a fight for the Australian Labour Party. I am putting up a fight on behalf of the gentlemen who have just been brushed aside for no apparent reason that I can see. The Minister, when dealing with the question of finance, stated—

The trustees merely expend the moneys which have from time to time been made available by the Treasury. As the years have gone by, the amounts have considerably increased. It is not very long since the appropriation for this purpose was between £8,000 and £9,000, whereas for the current year it will be something over £13,000.

I do not know whether the Minister intended this, but the inference to me was that as the amount had gone from £8,000 or £9,000 to £13,000 in the last few years, it was time someone did something about it.

The Minister for Education: It was just a plain statement of fact.

Hon. A. H. PANTON: The inference was different to me. I think any member will agree that to go from £8,000 or £9,000 a year to £13,000 is not a very huge rise considering the staff and the cost of books.

The Minister for Education: I really mentioned it to justify the minimum appropriation of £13,500.

Hon. A. H. PANTON: I shall have something to say about it. If there was any reason at all for the change, it was stated in one or two sentences by the Minister when he said that all the trustees had done was to spend the money, and they had no great authority for doing so. For the Public Library, Art Gallery and Museum the

amount of £13,500, as I believe it is—I understand that £500 of it has been earmarked for an archives officer—will not go very far in these days when everything has gone up so much. I warn the Treasurer, too, that the measure the Minister desires to repeal was passed in 1911, and in the same year the University Bill became an Act and—this is probably a co-incidence—the minimum amount set out in that measure was £13,500. Today it is something like £58,000. I have no hesitation in saying that if the Education Department takes over this particular institution, which is three institutions in one, the £13,500 will not be of very much value to the department.

It is also proposed under the Bill to appoint three managers after a while to manage the Museum and the Art Gallery separate and distinct from the Public Library. Knowing human nature as I do, I can imagine the Education Department will be much more interested in the extension of the Public Library than in the Art Gallery or the Museum. The Bill provides that allocation of the amount may be made by the Minister or, if Parliament so decides, by Parliament. If it is made by the Minister, there will be, by the pressure brought to bear by the Education Department, very little left for the Art Gallery or the Museum. I do not know whether members desire to see a completely derelict museum and art gallery, but that is what will happen if the Education Department takes over. I would rather let them have a separate sum for the purpose of dealing with the library so that nothing will be done to the detriment of the two other institutions.

It is interesting to see how the money is to be expended. There are 13 on the salaried staff, including the special officer appointed to deal with the archives. There are nine on the wages staff, including casual labour employed during leave of staff or emergencies. The fortnightly salaries total £240 per week and the wages £138, apart from casual labour. The total length of service of nine members is 120 years, the service of five of them ranging from nine to 43 years. They are working under Public Service conditions as regards long-service leave, sick leave, holidays, the 40-hour week and superannuation, if desired. It is easy to see that the sum proposed in the Bill will not go far, unless the Education Department is to take over the lot. The salaries and wages for the

year ended the 30th June, 1948, totalled £9,211; insurance £79; museum only, natural history £36; art gallery £712; library only, books, binding, etc., £1,147.

For the three institutions combined furniture, fittings, repairs, freight, maintenance and incidentals totalled £1,136, or a total of £12,324. It will be seen that almost £13,500 was required for the year ended June last, and it must be remembered that the cost of materials, books and so on is rising all the time. I believe very few new pictures, if any, will be bought for the art gallery. I find nothing in the Bill—unless it is Subclause (4) of Clause 7—giving any power to take over the staff or saying how it is to be employed, or compensated if not employed. It is a serious matter, seeing that some of the staff have been there for so long and, in any case, if they are just to be brushed off as the 14 trustees are brushed off, this House should have something to say about it. Even if Subclause (4) of Clause 7 does provide for it the matter requires more clarification than it has been given up to the present.

I hope clarification will be given in regard to security of tenure and conditions, and as to whether the employees are to be under the jurisdiction of the Public Service Commissioner. Are they in future to be part of the Civil Service or are they to be outside that service and under the direction of the Minister for Education? These matters are not dealt with in the Bill and I am not prepared to hand over to the Minister power to make regulations, after the House has risen, for the purpose of dealing with these employees. The staff are entitled to know what their position is to be, and it should therefore be clarified in the Bill.

The constitution of the board is particularly interesting. It is to be known as the "Western Australian Board of the Public Library, Museum and Art Gallery of Western Australia." I do not know why the terms "Western Australian" and "Western Australia" should both be necessary in the title of the board, but I am prepared to leave that to the Minister to decide. The title covers the three institutions, when according to the Minister it is proposed to separate the public library from the other two as soon as possible. The Bill does not inform members how the management is to be chosen, and the Minister has not explained it. We have not been told what

their qualifications are to be and I understand they are not to be part of the seven on the board. For the first time this institution is being brought under political control.

When introducing the measure the Minister pointed out that the present trustees are not subject to control by any Minister. They are subsidised and spend the subsidy. No doubt they produce their balance sheets or statements to the Treasury and apparently, for the 40 odd years during which they have carried on, various Governments have been content simply to let them go along in that way. Now they are to be brought under political control and are to be made part and parcel of a department and there is to be another board, an analysis of which is interesting.

The Bill provides for a board of seven members, three of whom shall be appointed by virtue of their office. The first is the President of the Australian Institute of Librarians W.A. branch. No doubt that organisation is entitled to representation. The present president is a lady and I understand she is employed as librarian at the University. The Honorary Minister need not smile, because the president is changed annually and there may not be another lady president for some time. One objection to the set-up is that one member of the board must therefore be changed at least annually. In addition, members of this institute have to serve a certain period as librarian and pass an examination that makes them eligible to be president of this particular board.

The extraordinary thing about these appointments is that at least half of the people employed in the Public Library are eligible to be president of the institution. If they are ambitious, as no doubt some of them will be, they will wish to be president of the institute. They must ask themselves whether it is advisable to accept the position as president of the institute—if the Bill becomes law—because that would place them in the position of being in the charge, as members of the board, of the principal librarian or, alternatively, the conditions as set out will prevent any of them attaining the position of president of this valuable institution. When the Bill is in the Committee stage I will endeavour to have that provision amended so as to give

opportunity for the board to recommend a president to the Minister or the Government. Then employees eligible to become president of the institute will be able to please themselves whether they accept that position. That is only fair.

We should not lay down conditions that would prevent a number of people from obtaining higher positions to which they should be entitled. I did have an amendment on the notice paper to substitute a member of the Teachers' Union for the inspector, but on re-reading the Minister's speech I came to the conclusion that he had put up a good case. He told us that this man had made a study of libraries and it was intended to send him to the Eastern States and probably overseas for further experience. If that is so, then I can only hope that the inspector is not too old because if he is we will not have his valuable services for too long. In view of the Minister's explanation I do not propose to try to interfere with that particular member.

However, I do propose to endeavour to deal in some way with the next member of the proposed board and that is the Director of Adult Education. Just why the Director of Adult Education should be chosen as a member of the board any more than Professor Currie or Professor Cameron, who are both generally acquainted with education and libraries, I do not know. We could perhaps have named the Chief Justice, or Judge Wolff, or any other similar person, but I am not in favour of presidents of organisations being placed on boards because of their position. Such positions are ever changeable and I consider it a bad policy. Members of a board of this description should not be continually changed. If we are going to get any benefit out of the board at all let us have some continuity, although the Minister stated that some of the trustees had been there for 40 years and that they were not of any value at all.

There is also provision that the Director of Education shall by virtue of his office be a member of the board. With all due respect to the Director of Education—and I suppose nobody has a greater admiration for him than I have because I have known him for practically all his life—I think he has a full-time job on his hands. He is also associated to a large extent with the University. We should get a man to take his

place and I do not say that in any detrimental way to the director, because he has such a heavy job that he is unable to attend a large number of meetings and we should not ask him to serve on a board such as this. In fact, I think this Government, and previous Governments as well, were too prone to ask our higher paid officers to take more and more work to the detriment of their health and if not to their health then to the detriment of the job that they ought to be doing. However, I think they are so conscientious that they would sacrifice their health rather than sacrifice their jobs.

If we look at our higher paid officers we find that they all have some other jobs to do and now that we are dealing with a measure of this kind we should at least make a different arrangement and I propose to ask the Committee—when the Bill reaches that stage—to make some alterations. In lieu of the Director of Education I wish to have a member of the Western Australian Teachers' Union. I do not want anybody to accuse me of ringing in somebody from the Trades Hall because that union is not affiliated with the Trades Hall, as it is one of the aristocratic unions.

I hope the amendments will be given due consideration if and when we reach the Committee stage. There is a clause in the Bill which provides that £13,500 is to be allocated by the Minister. Just why the Minister put in "or Parliament, if so desired" I do not know. Not that it makes much difference, but I would much rather the Minister do it than see a wrangle which is likely to take place in this House when the Estimates come forward. I can see quite a wrangle when the item comes forward for allocating the amount to these three institutions, divided as they probably will be by then, as to whether the Education Department shall get two-thirds or one-third and the other institutions to receive the remainder. I do not know just how to make up my mind, but I can see quite an argument if it is left to Parliament to decide.

No-one knows better than the Minister that if the department can get any more money it will do so and the other two institutions will be the ones to suffer. After all, much as we desire to see the libraries extended, there are many people who wish to see the Museum and Art Gallery brought up to something like a reasonable standard and

become decent institutions. There is also the provision for another member of the board and he is a person having literary and scientific knowledge. I do not know how the Minister proposes to choose that member but I will leave it to his good judgment. However, I would not like to do the job. There is also provision for the appointment of an officer of the State Treasury. We have two senior officers, Mr. Reid and the Assistant Under-Treasurer, and both these men have a tremendous amount of work to do at the moment. If we do not appoint either of them we will be appointing somebody lower down the ladder. I know these people so well and I know the amount of work they have to do and I do not consider it fair to place them in a job such as this.

Now we come to the representative of local government. Perhaps the member for Victoria Park could give us some idea as to how we can choose such a representative. Local government institutions extend far and wide in this State and I do not know whether the City Council is part and parcel of the Road Board Association or not.

Mr. Read: Local Government Association.

Hon. A. H. PANTON: Then how are we going to choose a representative of local Government? Will he be a representative from the country areas or from the metropolitan area? However, I am leaving that to the Minister to fossick out for himself. The other member is to be an inspector of the Education Department nominated by the Director of Education. The Minister put up a good argument for the inspector and I am quite prepared to let it go at that but I am not very happy about the first three members. Generally, I do not like the Bill although I do not think any sane man could object to the extension of libraries. I know there are several small libraries which should be co-ordinated and something done about them but I do not think this is the way to go about it.

It is a retrograde step to take the control out of the hands of the present trustees. Knowing them all, with the exception of two, and having been associated with them on various organisations I will be particularly interested in the Minister's reason for not including men of the ability of these 12 or 14 trustees. Surely it would have been far better to pay a tribute to the work they

have done by writing to them and telling them what was in the Minister's mind and asking for some ideas on the proposals. Even Dr. Battye, who has been associated with the institution for the best part of 50 years, left on Wednesday night's train without knowing, I understand, anything about the Bill until some gentleman sent him a copy and a short resume of what it was all about to Melbourne where he is at present on library business.

If I had served as a trustee of an institution for the best part of 50 years and was summarily treated in the way these men have been I would think there was something wrong about the matter, and I would have immediately tendered my resignation and asked for an explanation. I can assure the Minister that the trustees are not very happy about the Bill. As a matter of fact, in talking to some of them, who I thought were calm and dispassionate sort of men, I found they were very wrath about the position. The Minister has no right to disregard the present trustees because it is a very cavalier way to treat men of such high standards. In all sincerity I suggest that the House should not pass the Bill; it ought to be withdrawn.

The Minister should approach the matter in a different way. I believe libraries can be extended by splitting them up in a manner similar to that adopted in South Australia where I am advised there is a committee for the administration of the museum and another one for the art gallery. I am convinced that the trustees who form these committees to conduct this institution as it should be conducted should be given a trial or, if not given a trial, should be brought together and told what was in the mind of the Government and asked for their opinion on the matter. Knowing them as fair-minded men I am sure that if they think there is a better way of doing the job, they will resign. But they have not been asked to resign.

The way the Bill reads is that on the day it is proclaimed the present trustees will finish and the board will come into operation. That is terrible! I would not do that to a committee of Communists, let alone a committee of trustees of the calibre of these gentlemen, and particularly on account of the wonderful work they have done and the high positions which they occupy. I ask

the Minister to withdraw the Bill and approach the subject in a different manner, otherwise, the House should vote against it. I do not think that Professor Alexander has any more knowledge of the work of these trustees or even of extending libraries than has Professor Cameron, Professor Currie, the Chief Justice or Mr. Malcolm Uren, who have spent years and years as trustees of this institution.

Again I suggest that the Bill be withdrawn because there is any amount of time between this and next session thoroughly to discuss the matter with the present trustees. In any event, not much will be done between now and next session even if the Bill were passed. In fact, very little can be done about it. It would be a decent gesture to the present trustees if the Bill were withdrawn. I think the Minister has made a mistake and has been badly advised to introduce a Bill of this nature. There is nothing wrong in withdrawing it and saying, "We have made a mistake" and then seeing what the trustees think about these proposals. If the Minister will not agree to that suggestion then I sincerely ask the House to throw the Bill out.

MR. READ (Victoria Park) [10.56]: I support the remarks of the member for Leederville. He has covered the ground most thoroughly and most of his comments were what I meant to tell the House myself. Evidently we went into the matter from the same view point. I hope that this is not a party Bill so that we will be able to vote it out if it is not withdrawn.

Mr. Marshall: There is no party on that side of the House.

Mr. READ: The Bill provides for the control and administration of the Public Library, Museum and Art Gallery of Western Australia by a board and will inflict a very grave injustice on the present trustees. Has not the control been ably exercised over many years by some of our most eminent men? If the Bill is passed it will transfer the control of a democratic institution to departmental officers, and for this type of institution that principle is entirely wrong and not in the interests of the people of Western Australia. A board of seven members is proposed to be appointed under the Bill. Five of them, pos-

sibly six, would belong to the Education Department and so it would be controlled by that department.

The first member of the board proposed is President of the Australian Institute of Librarians, Western Australian Branch. He will, of course, be a gentleman elected from time to time and on occasions he would be a gentleman belonging to the Education Department. The next member proposed is the Director of Education, and number three is the Director of Adult Education. That will certainly be two, if not three, direct educational officers. Of the other four proposed members, one shall have literary or scientific knowledge. There again, where would such a man come from other than from our Education Department? The fifth member is to be an officer of the State Treasury—another departmental officer—and the sixth is to be a representative of local government. I suppose he is to be chosen by the Country Road Boards' Association or possibly by the Metropolitan Local Government Association. He, to my mind, is the only one who is not connected with the Education Department.

The next one is to be an inspector of the Education Department nominated by the Director of Education. It is not in the best interests of the State that these institutions should be handed over to the control of departments. I wonder why it is that all Governments for very many years have shown an anxiety to hand over such institutions to departmental officers, notwithstanding that those officers have in their own jobs as much to do as they can possibly undertake. Their responsibilities are great and yet they are appointed to these various boards and give what little time and thought they can spare from their ordinary duties to the management of these institutions.

I have in mind the board of the Zoological Gardens, the members of which with one or two exceptions are governmental officers, men who undoubtedly have plenty of work to occupy them in their own jobs. It would be far better to have a board consisting of men with a knowledge of zoology, fisheries, horticulture and so forth, men who would give their spare time to the work and act in an honorary capacity. If that were done with these boards, they would be operated

in a much more efficient manner than if handed over to departmental officers.

I took the trouble to ascertain the names of the trustees of the Public Library, Museum and Art Gallery. The member for Leederville read the list, but it will do no harm to mention the names again in order to let the people of the State know where we are drifting. I feel that a grave injustice will be done if the proposals in the Bill are adopted. First there is Sir John Dwyer, the Chief Justice; then Mr. Walter Dwyer, ex-President of the Arbitration Court; Mr. Justice Wolff; Professor Cameron; Professor Currie; Mr. C. W. Hadley, an ex-Director of Education; Mr. Malcolm Uren, whose work as a journalist and author is well-known; Mr. Charles Lemmon, a journalist connected with the "Daily News"; Dr. Somerville; Mr. Rowbotham, an art teacher; Sir Thomas Meagher, well known for his work in the State and Dr. Battye, the Director.

I wish it to be understood that these people are silent on the matter. Their dignity is hurt; the value of the work they have done through the years has been overlooked. When the Bill was brought down, I made it my business to inquire what they knew of the proposed set-up and whether they had decided not to carry on. The answer was that they knew nothing until they saw the announcement in the newspaper; they had not even been consulted. What must be the feelings of those men after having served the State in an honorary capacity for so many years? I stress the fact that this is a most important section of education and culture in every large city of the world and is distinct and separate from the ordinary routine of education; yet it is proposed to have these institutions brought under the ordinary Education Department of the State.

The proposal is to dispense with the present trustees without giving any reason and without any reference at all as to what their desires or wishes in the matter might be. Their valuable services are to be dispensed with, evidently without any inquiry having been made as to the good work they have done. I should like to enlarge upon the injustice proposed to be done to men who were chosen for their scientific knowledge and culture, but I shall leave it at

that and content myself with entering this protest on behalf of the people of the State in the hope that the Bill will be withdrawn.

MR. PERKINS (York) [11.7]: I regret exceedingly to note the reception being accorded the Bill. This is a subject in which I have taken great interest for many years. The first speech I made in this Chamber was on this subject. Subsequent to that, the then Premier, Mr. Willcock, took action to set up what has come to be known as the Country Free Lending Library Scheme. I quoted the Munn-Pitt report to show how far we were lagging behind other countries of the world in the library services provided in this State. I think Mr. Munn came from America and Mr. Pitt was the Librarian at the Melbourne Public Library. Their report on the library services in Australia was so scathing that one's ears almost tingled to hear extracts read from it. Unfortunately, reports by subsequent visitors from overseas brought out to advise on library matters have only served to emphasise the structures of Munn and Pitt on our library facilities.

Hon. A. H. Panton: Not so much the libraries as the way we have gone about it.

Mr. PERKINS: I shall come to that. Other States have taken action to meet the situation. If members look up recent legislation, they will find that in each of the States of Queensland, New South Wales, Victoria, South Australia and Tasmania, a library board responsible for library services has been set up. Western Australia is the only State in which no such action has been taken.

A measure along the lines of the present Bill is long overdue. I am not contending that the measure cannot be improved, not by any means. Some of the suggestions made by the member for Leederville could very well be adopted by the Minister and would be improvements to the Bill. The general criticism that I have heard from members who have spoken to the measure, as to the Bill being a vote of censure on those controlling the library, is entirely beside the point. This proposed board will be set up to do something entirely different from what the present trustees of the Public Library of Western Australia have been doing for many years past.

Hon. J. B. Sleeman: Were they consulted about the Bill?

Mr. PERKINS: Perhaps they could have been consulted. For all I know, the Minister for Education may have consulted some of the trustees, but he can deal with that aspect himself; it is something I have nothing to do with. The point is, are we going to establish a satisfactory organisation or not? Members of this House take a very grave responsibility upon their shoulders if they allow the present condition of library services in Western Australia to continue one day longer than is absolutely necessary.

Mr. Read: Is not the present management satisfactory?

Mr. PERKINS: Of course it is not. At present, we have a board of trustees administering what is really a reference library. If a person desires to read a book which is in that reference library, he must go to the building and read it there. It is not possible to take books outside the building, and that is the essential point of any worth-while library service today. The object is to get books into the hands of people, and in their homes.

Hon. J. T. Tonkin: That would require a lot more money.

Mr. PERKINS: Yes. I have no doubt that the member for North-East Fremantle knows what is done in the other States. As a matter of fact, the only really satisfactory public lending library in Australia is the Sydney Municipal Library. Members who have been in that library must realise that it is a really worth-while institution, which is doing excellent work and is a great credit to the Municipality of Sydney. In my opinion, the Sydney Municipality is worthy of the greatest praise for its broad outlook. Notwithstanding that the funds are mostly provided by the Sydney Municipal Council, many people living in the outer suburbs make use of the library. They are not restricted in any way.

It is obvious that if we are to have proper library facilities established in this State, there must be co-operation between the Government and the local governing authorities, because the responsibility is partly on the latter. Our local government Act makes local authorities partly responsible for library finance and that responsi-

bility also rests on the shoulders of other people who are endeavouring to raise our cultural level. In this matter of libraries I am fortified by the opinions of experts. Some members will recall that during the regime of the previous Government, the then Premier, (Hon. F. J. S. Wise) agreed to bring Mr. Lionel R. McColvin, City Librarian of Westminster, England, to Western Australia to report on our library services. He was at the time visiting the other States. The Minister for Education, in introducing the Bill, read a portion of his report. It is a long report and if any members desire to peruse it, a copy is in our Parliamentary Library and other copies are available.

Members who listened to the Minister while introducing the Bill will have noted that Mr. McColvin did not have a high regard either for our Public Library or for our Parliamentary Library. Of course, members can take criticism from people outside, even if we do get a little touchy at times. Be that as it may, I had the pleasure of conducting Mr. McColvin on a three-day tour of some of our country districts in order to demonstrate our free library scheme. After talking to him for some time, I realised that we have a tremendous leeway to make up. From conversations I have had with Mr. McColvin and from contacts I have made elsewhere in Australia, I am absolutely convinced that the first step we should take is to set up a proper library board and one as representative as possible of our diversified interests.

Hon. A. H. Panton: We have not got that in this proposed board.

Mr. PERKINS: And that library board should not be too large. If so, there would be difficulty in arriving at a concrete policy.

Mr. Read: How is the money to be made available?

Mr. PERKINS: More money will be made available. The Minister for Education has already indicated that sufficient money would have to be provided to make a proper job of setting up a satisfactory library service for the State. That is the essence of the Bill. It is very wrong indeed to suggest that it is any reflection at all on the gentlemen who have been conducting the Perth Public Library.

Hon. A. H. Panton: I bet you would not like to be in their position; knowing your

temperament as I do, you would hit the roof!

Mr. PERKINS: Apparently, the member for Leederville is taking a point of view I had not thought of. It is apparent to me that this Bill seeks to do something entirely different from what the trustees of the Perth Public Library could do. The taking over of that library is merely incidental to the purposes of this proposed library board. So far as I am concerned, it does not matter much if we cut out all reference to the taking over of the Perth Public Library and to the library board, but we would certainly create a ridiculous position if we did so. Since the time that the Perth Public Library was formed as a reference library, our general conditions of life in Australia have entirely altered. I have no doubt that in past years there was a demand for that type of library, where people could go and study and when perhaps it was more difficult for people to buy books for themselves. Members who care to inspect the Perth Public Library, that is, the reference library, will find that it now quite fails in its purpose. A few school boys and a large number of pensioners go there, obviously the type of people who are merely killing time.

Hon. A. H. Panton: Do not forget that there are also the Museum and the Art Gallery.

Mr. PERKINS: I will come to that point, which is another aspect, and a very important one, too. We must provide free lending libraries, not merely a reference library, which is but a part—a very small part—of the whole scheme. The important thing is, as I have said, to get the books into the hands of the people in their own homes. In my opinion, the Government and the Perth City Council will, sooner or later, have to provide a free lending library in the centre of the city. I have heard it suggested from time to time that a free lending library would be injurious to the business of the commercial bookseller. That never works out in practice.

I have discussed the matter with certain of the bigger and more far-seeing booksellers in the city, and they realise that any system of free lending libraries will eventually increase the sale of books to the public. Regarding the Museum and Art Gallery to which the member for Leederville has made reference, I agree that it is an

important part of the facilities which exist. It might be wise to create a somewhat larger committee than the Minister has provided for in the Bill; it could, perhaps, be increased to five members. I do not know the actual position; perhaps the Minister will deal with it. It may be easier to take the library over under a library board, and delegate authority to a separate committee.

A very good board could be set up to administer the Museum and Art Gallery. No delay should occur in the setting up of that separate board. If the Bill passes and the Museum and Art Gallery is taken over by the library board, the proper policy will be to create a separate board practically immediately to take over the Museum and Art Gallery as otherwise it would suffer, as indicated by the member for Leederville. I do not see any insuperable difficulties here; it is not necessary to defeat the Bill to bring this about.

Hon. A. H. Panton: I cannot see why the debate should not be adjourned while the Minister discusses it with the trustees.

Mr. PERKINS: As to the constitution of the board, I cannot see any objection to the suggestion made by the member for Leederville.

Mr. Marshall: Does it not indicate to you that the departmental officers are having a very easy time, or are overworked?

Mr. PERKINS: I do not see any objection to the suggestion of the member for Leederville that a representative of the Australian Institute of Librarians should be nominated for the library board. It is essential to have a representative of that body on the board because the library board will be dealing with a very technical question. As far as the Minister for Education is concerned, I see no objection to that being altered to a nominee of the Education Board. These are comparatively simple amendments to effect. As to the other officers, I am not particularly happy about an undue number of representatives of the Education Department being on the board. Under this set-up there will be two. I hope the Minister does not intend to appoint any further representatives of that department. From what he said I understand the second officer, an inspector, is an individual particularly well qualified to sit on the board. It is not putting the position fairly to say that this organisation will be taken over by the Education Department.

Hon. A. H. Panton: The Minister said that.

Mr. PERKINS: I have not looked up what the Minister said, but my recollection is that he said it was intended to bring it under the Minister for Education and not under the Education Department. The board will be an entirely separate entity. If it is to be of any use at all, it must be allowed reasonable freedom of judgment. I hope it will not become a mere appendage of the Education Department. That would be fatal.

The Minister for Education: There is no intention that it should, and there is nothing in the Bill to make it so.

Hon. A. H. Panton: It will, all the same.

The Minister for Education: The phraseology is the same as that in the Electricity Act, and the State Electricity Commission is not an appendage of the Public Works Department.

Mr. PERKINS: No reference has been made tonight to the functions of the board.

Mr. Bovell: What is wrong with the present personnel?

Hon. A. H. Panton: Nothing.

Mr. PERKINS: I am not acquainted with the present personnel. For all I know the Minister may intend putting some of them on the new board. It is obvious that 14 is an unwieldy number to have on any library board in Western Australia. No other State has as many. Mr. McColvin in his report strongly recommends against unwieldy library boards. I would be disappointed in the Government if it set up a board of 14 members. The present board should be pruned. The suggested board provides a good balance between the various interests in the State. The Education Department, the librarians and the Adult Education Board, will be represented. The last named is a body directly concerned with the purpose of this measure because libraries are probably still the most important agency for the further education of our adult population.

It is appropriate that the Adult Education Board should have a representative on the library board. There is to be an officer of the Treasury on the board. It is a common practice to provide that the Treasury, which is concerned with finding the necessary money, should have a representative on boards such as this. Local Government

to be represented, and that is absolutely essential because the responsibility for the revision of libraries is placed on the shoulders of the local governing bodies. The only other representative is this inspector of the Education Department with whom I have already dealt. No doubt the Minister has been influenced in the matter of his appointment because he is an expert officer and probably could well find a position on the board whether he was an officer of the Education Department or not.

The other person to be on the board is someone having literary and scientific knowledge. That is a pretty wide description and should give the Government plenty of scope to get a suitable man. Members would have to rack their brains to suggest a better and more representative board. I strongly recommend against a very large board. Regarding the functions of the board, if members look at the particular case dealing with that phase, they will see that wider powers in regard to library services could not be given. That is as it should be because library services leave so much to be desired at the present time that it will be necessary to do a lot of spade-work before deciding how much money is to be spent.

The other point has reference to the training of librarians. As I understand the situation—and from the advice of the experts—if we are to maintain satisfactory library services it is essential that we have trained librarians. The experience of our Country Free Lending Library Scheme so far—no member of the House has been more closely associated with it than the member for Brown Hill-Ivanhoe and I have, as we were both on the Committee and I think I have seen more of it in agricultural districts than he has—has been such that I am certain that if we are to make the best of any expenditure on library services by the Government it is essential that we have trained librarians. Provision is made in the Bill for the Library Board to set about training librarians. Unfortunately there are not too few trained librarians available in Australia at present and it will be a number of years before enough of them are available to do the work properly. However, we are making a start and the board will be capable of doing the spade work necessary to get the scheme under way.

Further amendments may be required from time to time but I feel that a properly constituted board will be possible under the Bill and that the powers entrusted to it will be wide enough to enable it to do its job properly. I doubt whether anything more can be done by legislation to improve our library services. I am sorry that that aspect has crept into the debate and I think members are off the track. They are taking a grave responsibility on their shoulders if they turn the clock back by defeating the Bill. If it is not passed, the present position will carry on for some time longer. Even if a Bill is passed next year, as has been suggested, that will mean one more year for which proper library facilities will be denied to our people. Apparently members do not realise how far our library services lag behind those of other parts of the world. They are not in the same street as the services in England and America.

Hon. A. H. Panton: You would not expect them to be, with our small population.

Mr. PERKINS: They are even behind the services in the other States of Australia. It is a reflection on our Parliament that no action has not been taken in this direction in past years, and I am pleased that some attempt is now being made to improve the position. If the Bill is defeated the responsibility will lie with members.

Mr. SPEAKER: I have to apologise to the member for Perth, who should have been called after the member for Leederville.

On motion by Mr. Needham, debate adjourned.

House adjourned at 11.35 p.m.