

Legislative Council

Tuesday, 12th November, 1957.

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QUESTIONS.

LAND TAX.

Amounts from Improved and Unimproved Land.

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

(1) Of the gross land tax collections of £1,108,173 in 1956-57, how much—or approximately how much—was received in respect of improved rural land?

(2) Of the estimated gross land tax collections of £1,430,000 for 1957-58, how much—or approximately how much—is in respect of:—

- (a) improved rural land;
- (b) all other improved land;
- (c) all unimproved land in the State?

The CHIEF SECRETARY replied:

Statistics have not been kept which would enable a precise determination of the amounts requested. The following are estimates based on available information—
£

- (1) Land tax collections for rural land, 1956-57 330,000
- (2) Land tax collections for rural land, 1957-58 400,000
- Land tax collections for all other land, 1957-58 1,030,000

STATE HOUSING COMMISSION.

Details of Vacant Building Lots.

Hon. R. C. MATTISKE asked the Minister for Railways:

(1) Of the following list of vacant building lots owned by the State Housing Commission as at the 30th June, 1957, in various wards of the Perth Road Board, how many in each ward were situated on made roads or on roads under construction—

Hamersley	1,955
Inglewood	875
Osborne	3,464
Scarborough	2,773?

(2) How much of the following rate payments made by the State Housing Commission in 1956-57 on vacant land in various wards of the Perth Road Board was in respect of charges for—

- (a) 1956-57;
- (b) 1955-56;
- (c) 1954-55;
- (d) prior to 1954—

Hamersley—£2,006 4s. 10d.,
Inglewood—£2,858 2s. 4d.,
Osborne—£12,762 0s. 1d.,
Scarborough—£8,922?

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

The MINISTER replied:

(1) Hamersley	.....	Nil
Inglewood	.....	40 approximately
Osborne	.....	600 approximately
Scarborough	.....	Odd lots only.

Many of the lots listed as vacant by the Local Authority on the rate notice have already been built on.

(2)	1954-55.			1955-56.			1956-57.			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Hamersley	215	15	2	825	0	11	965	8	9	2,006	4	10
Inglewood	1,468	4	2	1,125	11	10	1,312	6	9	3,006	2	9
Osborne	4,068	8	10	8,692	1	1	3,927	13	2	16,688	3	1
Scarborough	4,716	2	8	3,644	13	0	3,436	8	8	11,797	4	4
	£10,468 10 10			£14,287 6 10			£9,641 17 4			£34,397 15 0		

The figures above include rates paid on State Housing and Commonwealth-State land holdings. In replying to previous question, only 1956-57 rates for Commonwealth-State land were included.

CLOSE OF SESSION.

Government's Expectation.

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

What is the date on which the Government expects to conclude the present session of Parliament?

The CHIEF SECRETARY replied:

I understand the Government expects to finish somewhere about the 23rd of this month. That is the Government's expectation. It is left to the members of this House as to whether it will be realised.

UNIFORM BUILDING BY-LAWS.

Date of Operation.

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

In connection with the uniform building by-laws the operation date of which was curtailed by the Acting Minister for Local Government until the 14th November, does he intend to bring these by-laws into operation on that date or further curtail the operation date? If so what curtailment will be effected?

The CHIEF SECRETARY replied:

Since my return I have given a lot of consideration to extending the date of coming into operation of the building by-laws, and I believe the best purpose will be served by allowing the date fixed by the Acting Minister to remain.

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

Does he not realise that if the date of coming into operation of these by-laws is to remain at the 15th November any move in this House or another place to disallow the by-laws could, if successful, have no effect other than to place the local authorities generally in a condition of turmoil; and therefore would he give consideration to altering his decision?

The CHIEF SECRETARY replied:

The local authorities are now in such a state of turmoil owing to the second postponement that I have decided to let the date fixed by the Acting Minister remain.

METROPOLITAN (PERTH) PASSENGER TRANSPORT TRUST BILL JOINT SELECT COMMITTEE.

Report Presented.

Hon. C. H. Simpson brought up the report of the joint select committee, together with a typewritten copy of the evidence.

Ordered: That the report be printed.

BILL—COAL MINE WORKERS (PENSIONS) ACT AMENDMENT.

Read a third time and *passed*.

BILL—LICENSING ACT AMENDMENT (No. 1).

Third Reading—Defeated.

THE MINISTER FOR RAILWAYS (Hon. H. C. Strickland—North) [4.43]: I move—

That the Bill be now read a third time.

HON. R. C. MATTISKE (Metropolitan) [4.44]: During the earlier stages of this Bill I received the impression that this question was to be considered by the committee appointed to look into the whole of the licensing law, and I am sure that that impression was shared by other members of this Chamber. As a result of that, we permitted the Bill to be read a second time; but during the Committee stage Mr. Roche made it quite clear that the committee had not made any recommendations with regard to particular aspects of the Bill, and that it was up to this Chamber to consider the whole matter on its merits.

I feel that in considering this measure, as we have, and in agreeing to what we have agreed to up to the present, we have made an important change in the existing licensing law without thorough consideration being given to all aspects of the question by the committee.

The Chief Secretary: Which committee?

Hon. R. C. MATTISKE: The committee appointed by the Government.

The Chief Secretary: In effect, it is a select committee.

Hon. R. C. MATTISKE: It is a parliamentary committee.

The Chief Secretary: What I was concerned about—

The PRESIDENT: Order! Mr. Mattiske is speaking.

The Chief Secretary: The hon. member mentioned a committee, Mr. President, and I was not sure whether he was referring to a committee of this House or a committee outside this House.

Hon. R. C. MATTISKE: I was referring to a committee outside this House. Because of the serious nature of this legislation and the many aspects which have to be given such thorough consideration, I feel it is not right for this Chamber to make amendments to the existing law until it has heard the findings of that committee. I therefore appeal to the House not to permit the Bill to be read a third time; but, in effect, to hold the matter in abeyance until after that committee has completed its investigations and has made its recommendations to Parliament.

HON. J. D. TEAHAN (North-East) [4.47]: I hope the House will agree to the third reading. This measure affects only a minor portion of the Licensing Act and, as members know, whenever a point is raised with which we disagree, we pass the matter on to some committee, but I maintain that such a committee is no better to judge of the position than we are. Some of us in this Chamber use the refreshment rooms referred to several times a week and I claim that we have as much knowledge about them as would the committee to which reference has been made. I would prefer our commonsense judgment to prevail rather than that we should wait for a report with which we are not bound to agree. I hope members will support the third reading.

THE MINISTER FOR RAILWAYS (Hon. H. C. Strickland—North—in reply) [4.48]: I hope the House will agree to the third reading of the Bill as amended in this Chamber during the Committee stage. Although Mr. Mattiske says we should not implement this legislation, it will be remembered that he proposed two

amendments to the Bill, one of which was rejected and the other I accepted without argument. I told this Chamber that I was prepared to accept the other amendment on the notice paper which had to do with hotel sites.

I would remind members that the Bill proposes to legalise the serving of bus travellers with liquor in railway refreshment rooms and also to legalise a practice that has existed for many years, in the serving of people who are not themselves travellers, but have either accompanied an intending passenger in order to see him off, or have come to meet and welcome a passenger. So there is an important principle involved.

I cannot see how the committee inquiring into the Licensing Act generally would have any opportunity to make any suggestion on this aspect of the legislation before this session closes, because it is going to have numerous recommendations to make in connection with amendments to the Licensing Act. Before the committee presents its report to Parliament it will have ample time to consider this phase of the licensing law and make a report upon it accordingly. Therefore, I sincerely hope the Bill will be read a third time.

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

Ayes	.....	12
Noes	.....	12
A tie	.....	0

Ayes.

Hon. N. E. Baxter	Hon. R. F. Hutchison
Hon. G. Bennetts	Hon. G. E. Jeffery
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. G. Fraser	Hon. J. D. Teahan
Hon. J. J. Garrigan	Hon. F. J. S. Wise
Hon. E. M. Heenan	Hon. W. R. Hall

(Teller.)

Noes.

Hon. J. Cunningham	Hon. R. C. Mattiske
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. L. A. Logan	Hon. F. D. Willmott
Hon. G. MacKinnon	Hon. J. Murray

(Teller.)

Pairs.

Ayes.	Noes.
Hon. W. F. Willesee	Hon. A. F. Griffith
Hon. F. R. H. Lavery	Hon. H. L. Roche

The PRESIDENT: As the division has resulted in a tie, in order to maintain the status quo I give my casting vote with the noes, and the Bill will not be read a third time.

Question thus negatived.

Bill defeated.

BILL—TRAFFIC ACT AMENDMENT (No. 3).

Read a third time and transmitted to the Assembly.

BILL—COMPANIES ACT AMENDMENT.

Reports of Committee adopted.

BILL—NOXIOUS WEEDS ACT AMENDMENT.

Second Reading.

HON. N. E. BAXTER (Central) [4.56] in moving the second reading said: This is rather a simple Bill, its object being to provide local authorities with power to enter upon either private or public land when they have received reports of infestation of noxious weeds upon such land and to destroy or eradicate the noxious weeds. The Bill also provides that the cost of such work be met from the ordinary revenue of the local authority concerned or from the revenue obtained from the noxious weeds rate.

Several local authorities have requested an amendment along the lines sought in the Bill, so that in the event of an infestation of noxious weeds the local authority concerned can strike while the iron is hot, as it were, and thus prevent the spread of the infestation. Under the Act, the Agriculture Protection Board is empowered to take steps to eradicate any noxious weeds but that board is not in such close touch with the various districts as are the local authorities.

Further, the board is not as mobile as any local authority which may know of small areas of noxious weeds infestation and therefore can take steps immediately to deal with the problem. Another point is that some time may elapse between the date of making a report of infestation of noxious weeds and the receipt of such report by the board, and during that time a severe outbreak of noxious weeds infestation may occur.

I do not want to waste the time of the House, because I think the provisions in the Bill are self-explanatory; and I am quite sure that if the Bill is passed, it will go a long way towards the destruction and eradication of noxious weeds in this State. I move—

That the Bill be now read a second time.

On motion by the Chief Secretary, debate adjourned.

BILL—HOUSING LOAN GUARANTEE.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [4.58] in moving the second reading said: The objects of this Bill are stated in Clause 4 of the measure. They are, briefly, an offer to encourage institutions concerned with financing new homes to increase the margin of financial assistance which they now offer. It must be emphasised that no actual money will be made available by the Government if the Bill is approved by Parliament. What will occur is that institutions which choose to join the scheme proposed in the Bill will be in a position, if they so wish, to give

more generous assistance than they now do for the financing of the purchase of new homes.

Similar schemes exist in the United Kingdom, the United States of America and several Australian States. The Bill specifies those institutions which can apply to the Minister in charge of the State Housing Commission to be included in the scheme. These institutions include those societies registered under the Building Societies Act, the Co-operative and Provident Societies Act, and the Friendly Societies Act, banks, assurance and insurance companies, including the State Government Insurance Office, the Superannuation Board and any other institution which desires to join the scheme.

Any institution approved by the Minister would join the scheme under terms and conditions imposed by the Minister. Once an institution is approved the Government would guarantee any loan made by it for the purchase of a new house. A definition of the term "new house" can be found at the foot of page 2 of the Bill and includes both a house that has not been lived in, or a house which since completion has been lived in for not more than six months by the person to whom the loan is being made, and his family.

The Government would guarantee the full amount of any loan made by an approved institution subject to the conditions set out in the Bill. The guarantee would enable an institution to advance up to:

- (a) 95 per cent. of the price of the house, provided the advance does not exceed £3,000;
- (b) 90 per cent., where the advance is between £3,000 and £5,000; and
- (c) 80 per cent. where the advance exceeds £5,000.

The amounts quoted by me do not include interest.

The institution would be enabled to make the advance available over any period up to 45 years, which, as members are aware, is the maximum period allowed for the purchase of war service homes, Commonwealth-State rental homes and houses erected under the State Housing Act.

The terms of any loan would be a matter solely for the institution, the figures I have quoted being the maxima which can be offered. Once an institution has joined the scheme the Government will not enter into the matter in any manner, apart from guaranteeing the loan, and requiring the institution to pay each quarter into a loan guarantee fund account an amount equal to one quarter of 1 per cent. of the outstanding balance of each client's account. This will serve to meet administrative expenses incurred by the Government and to assist in meeting the risks taken by the Government in making such liberal guarantees available.

If the Bill is agreed to it will not interfere with the loan moneys made available by the Government to building societies for housing loans. Of the total amount received by the State this year for housing 20 per cent. or £600,000 was allotted to building societies. In the coming financial year 30 per cent. of the total amount will be received by building societies.

As I said earlier, similar schemes are in operation in other parts of the world, particularly in the United States of America and the United Kingdom. Under the New South Wales guarantee scheme, loans totalling £111,000,000 have been made; in Victoria, £45,000,000; and in South Australia £10,500,000. A colossal amount has been granted in the United States, while in the United Kingdom the loans exceed £2,000,000,000. Nowhere else in Australia are the schemes as liberal as that proposed in the Bill.

It is the hope of the Government that the Bill, if agreed to, will result in more private money being made available for house building, and that the State Housing Commission can reduce steadily its incidence of house building, thereby making more money available for such important requirements as hospitals, etc. I move—

That the Bill be now read a second time.

HON. H. K. WATSON (Metropolitan) [5.51]: While the speech of the Chief Secretary is fresh in my mind I desire to ask him a few questions which I hope he will answer during his reply to the debate. The object of the Bill is—

to encourage the building and the purchasing of new houses by enabling building societies and other institutions concerned with advancing loans for the purposes of building new houses or with making financial assistance available for the purposes of purchasing new houses, or with both, to increase amounts of advances and financial assistance for those purposes.

All members will applaud those objects, but there are half a dozen questions which I shall be obliged if the Chief Secretary will answer when he is replying to the debate.

The first question is this: Is it contemplated that it should be a condition of the guarantee that the loan shall have an interest limit? Secondly, if that is to be a condition, what will be the position regarding a mortgage which has a review clause? Thirdly, is it intended that loans which building societies make under the State Housing Agreement may also be the subject of these guarantees? Fourthly, what will happen on the sale of a guaranteed property?

Presumably the guarantee is in respect of a person. I presume that if a property which is the subject of a guarantee mortgage is sold, the mortgage would be liable to be called up. Fifthly, I would like some confirmation from the Chief Secretary on this point: Whether, on a loan of £3,000 for 45 years at 5 per cent. the cost of the guarantee will be about £220. Sixthly, the Bill is not clear as to whether the guarantee is to be in the nature of a blanket overall loan, or for individual loans.

I did understand from the speech just made by the Chief Secretary that once a society or institution is approved, all its loans would automatically be guaranteed. I would like to know from him at the appropriate time whether a society would be bound to have all its loans guaranteed. Even if the overall guarantee exists in principle, it does seem to me that each loan should be considered on its merits. The final point on which I wish clarification is whether the guarantee will be exempt from stamp duty.

If it is proposed to limit interest rates by the guarantee, I trust that a practical approach to the whole question will be made; because if a lender is not entitled to meet the market and lend money at current interest rates then, whether or not the loan is guaranteed by the Government of Western Australia, or any other Government in the world, one will not find a lender who is prepared to lend money at an unattractive rate.

The question of a review clause, and the application of the guarantee to a review provision in the mortgage is also very important, particularly with building societies because in the main they borrow short and lend long. Their obligations to their lending clients have to be met either at call, in six months or over a limited number of years; whereas the payments by the borrower from the society are spread over a much longer period. Therefore it is necessary that in borrowing short and lending long there must be a review clause in the mortgage so that the interest rates may be reviewed from time to time to keep them in line with current rates.

The Bill also provides that a second mortgage may be guaranteed. It states that a second mortgage may only be guaranteed if the rate of interest payable on that mortgage is not higher than the rate of interest payable on the first mortgage. If that provision were to remain in the Bill no advantage would be achieved by it. It is common knowledge that on the average the second mortgage is, if not invariably then almost invariably, at a higher rate of interest than the first mortgage.

The Bill proposes that the following loans may be guaranteed:—

Up to an amount not exceeding £3,000, so long as it is not more than 95 per cent. of the value of the property.

Up to an amount exceeding £3,000 but not exceeding £5,000, so long as that amount is not greater than 90 per cent. of the value of the property.

To an amount exceeding £5,000 so long as the amount is not greater than 80 per cent. of the value of the property.

That means that in the case of a person purchasing or building a new home for £5,500 the deposit required from him will be £550. He can borrow the balance of £4,950 under the Government's guarantee. I consider that a person with a deposit of only £550 ought to be prevented, rather than encouraged from entering into financial commitments for such a large balance. A person of small means should cut his suit according to his cloth. We will not assist people by making it easy for them to tie a millstone around their necks and to engage in financial commitments which are beyond their ability to meet. On a £5,000 loan one would expect to see a higher deposit being required.

By all means in the case of small houses which require only small advances every possible assistance should be rendered, but at the same time the Bill should be kept within the bounds of prudence. I can best illustrate my point by reminding the House that in the State housing agreement to which the Chief Secretary made reference, whereby £600,000 has been allotted by the Commonwealth amongst building societies in Western Australia, one of the conditions on which that money has been made available is that the building societies shall not lend more than £2,800 to any one person.

That is a condition to which, in my opinion, no one can take exception. But I find it difficult to reconcile the fact that in one breath the building societies are told, with respect to the money which is being advanced, that they should not lend more than £2,800; and, in the next breath, that they may lend £5,000, or presumably £10,000 or £20,000—because there appears to be no limit under the Bill—on a 20 per cent deposit; and up to £5,000 on a 10 per cent. deposit.

I asked the Chief Secretary whether it was correct that under the Bill, on a loan of £3,000 for 45 years at 5 per cent., the guarantee would cost about £220. I have had some calculations made and it appears that that will be the approximate cost. But I am not prepared to stake my reputation on it and so I asked the Chief Secretary to verify the figure. If that is so then it means that on over £1,000,000, guaranteed under the Bill, the Treasurer would collect £73,000.

It seems to me that an amount of that magnitude would pay not only the administrative expenses and provide for the risk involved but, over the years, would go well towards balancing the State Budget. This arises from the fact that the fee for

the guarantee is $\frac{1}{4}$ per cent. per annum, and it appears to be charged on the whole of the outstanding balance of the loan for the whole period.

I happen to be associated with one society which, for 95 years, has been lending money up to a margin of 70 per cent. to 75 per cent. without any guarantee; and it seems to me that the Bill, when it requires a guarantee in connection with the total amount of the loan, is making a wrong approach. When a person lends money on first mortgage he does not require a guarantee on most of it, but only on the excess.

When the Chief Secretary spoke he mentioned that the scheme of guarantee is in operation in the United Kingdom and the Eastern States, but the position in those places is that not the whole loan is guaranteed, but merely the excess, which is a risk. That which is guaranteed is only the part advanced which exceeds what one might call a normal advance. If the Bill contained provisions of such a nature it would achieve its avowed object, I suggest, much more readily and less expensively to the borrower than it would in its present form.

Take a person who wants to purchase a property worth £2,800. Today he could borrow, say, £2,100 from a building society in the ordinary course of its business and there would be no necessity to have a guarantee in respect to it, but if he wanted to borrow 95 per cent. of the amount, then the extra amount, £560, is the sum which ought to be the subject of the guarantee.

Hon. L. C. Diver: The risk money.

Hon. H. K. WATSON: Yes. The $\frac{1}{4}$ per cent. ought to be charged not on the total loan of £2,660 but on the risk money—that is the 20 per cent. beyond 75 per cent—amounting to £560. On the figures I have just mentioned members will see that on the risk money this fee is virtually 1 per cent., although it is expressed as being $\frac{1}{4}$ per cent. on the total loan.

Under the New South Wales Housing Improvements Act, 1936, there is provision for the Treasurer to indemnify financial institutions against loss on excess loans made to borrowing members. The amount which can be loaned is limited. What the amount is at the moment I do not know. When the Act was introduced it was £750, but doubtless it has since increased. But this serves to illustrate my point that it is to the comparatively small owner that these guarantees are to be restricted. They are not to be given to all and sundry. In 1936 the New South Wales Act limited the amount to £750 but I would not be surprised if, today, it is £2,750, but the excess which was guaranteed under that legislation was the difference between 80 per cent. and 90 per cent., and the fee for the guarantee was nil, so far as I understand that Act; and that is likewise the position under the English legislation.

In no other case is a guarantee fee charged; and it is not charged for this reason: that the promotion of home ownership and home purchase involves saving, and saving is a national benefit. In England the guarantee is arranged for under Section 5 of the Housing Act, 1949. The scheme there is somewhat different again. The normal advance is agreed on and the excess amount is ascertained, and the responsibility for the excess advance is shared as to one-third by the Government, one-third by the local authority and one-third by the building society. Again, no fee is payable for the guarantee. I suggest that if the principle of guaranteeing the excess advance, without charge, were put on the statute book, it would do more than the Bill will achieve as it stands at the moment.

In New South Wales the guarantee is a double one. There is the guarantee to the building society in respect of the loan which it makes to the borrower—a guarantee on the excess amount without any charge at all; and then there is the guarantee to the persons who deposit money with the building society. If a bank lends money to a building society the Government will guarantee it also; and again without cost.

I commend to the Minister's serious consideration the points I have made. The only other point I wish to put forward is that the Bill provides that the Minister may engage valuers to value the property. Quite a few institutions have their own valuers and I suggest that when those valuers make a valuation it might well be accepted by the Treasurer. We might otherwise find ourselves building up a still further substantial branch of the State Housing Commission. I commend the general principles of the measure to the House and I support the second reading.

On motion by Hon. G. C. MacKinnon, debate adjourned.

BILL—LICENSING ACT AMENDMENT (No. 2).

Second Reading—Defeated.

Debate resumed from the 19th September.

HON. L. A. LOGAN (Midland) [5.28]: Members will recall that Mr. Baxter submitted a similar Bill last session. It is perhaps unfortunate that he has brought the measure forward again in a session during which three small amendments to the Act have been before us and a committee has been appointed to deal with the problems and ramifications of the Act.

There may be one feature in regard to this Bill, as compared with the others, and that is that one of the premises that will

be affected by it will not be in operation next year if the Bill is not passed. The owners of those premises will have to close their doors and walk out. The hon. member may have a point there in favour of proceeding with the measure instead of putting it off.

The Minister for Railways: What about Watheroo? Mightn't the premises there have to shut up?

Hon. L. A. LOGAN: We do not have to worry about their shutting up because they serve another purpose as well. Mr. Baxter introduced the Bill because he thought that when the amendment dealing with Sunday trading was introduced it should have read, "Twenty miles by the nearest trafficable route" and not as the crow flies. It could be said that that is splitting straws; but on this occasion it would make a lot of difference to certain hotels; and I should imagine that, dealing with distances these days, it should be governed by the trafficable route and not as the crow flies.

One other argument he used, and I thought it a very good one, was the traffic jam that occurs on the Great Eastern Highway on Sunday afternoons outside the Sawyer's Valley hotel. Any member who has travelled that road between 5 and 6 o'clock on a Sunday afternoon will appreciate the danger there is to the community and the travelling public. I believe a dispersement of the trade to the three hotels—Parkerville, Mundaring and Mundaring Weir—would do a lot to lessen that traffic jam and the danger to the public—and it is a definite danger.

Some members are concerned that this legislation will cover the hotel at Rottneest, and also the one situated at Naval Base. Probably the same argument could apply to Naval Base as applies to the area around Sawyer's Valley. The traffic jam at Rockingham, and the consequent threat to the public, could be lessened considerably if the hotel at Naval Base were permitted to trade on Sundays. However, I do not know sufficient about the area to speak with authority on that point; but in my opinion there is a similarity between the two.

I do not know the present position at Rottneest; but I do know that prior to the hotel being established, a considerable amount of bottled beer was drunk all day on Sundays. Whether it still applies I do not know; but if it does, the granting of Sunday trading to the hotel there would enable Sunday drinking to be brought under better control.

When discussing other licensing Bills, I have already said that I think these amendments to the Act should be passed over to the committee which is at present

dealing with the Licensing Act. I know that the people covered by this legislation have already given evidence to the committee; and apparently the committee, in its wisdom, has not seen fit to pass on to the House any recommendation in regard to this particular matter; although it did so in regard to one other amendment to the Licensing Act. I should imagine that as there are three measures before the House, and the committee having taken evidence in regard to at least two aspects, it could have passed on to this Chamber some information on this question as it did in regard to the other amendment.

Hon. E. M. Heenan: My views on the other one were not taken much notice of.

Hon. L. A. LOGAN: But the hon. member must bear in mind that that Bill dealt with two or three other phases as well; and I understand that it was mainly on account of one other aspect that certain action was taken. Of course, I may be wrong on that point. I have already stated that I believe these questions should be dealt with by the committee and recommendations should be given to the Government so that the whole of our Licensing Act can be brought up to date and into conformity with our present way of living.

The only catch is that if Sunday trading is not extended to the Mundaring Weir Hotel I understand that the licensee will have to close the hotel down. Whether we should legislate just for one particular district is up to members themselves. Also, whether they consider that it would not do any harm to the community if the hotel closed down, is up to members. Personally I believe that hotels such as the one at Mundaring Weir serve a useful purpose for the tourist trade of this State, and I would not like to see it go out of existence. However, I will wait until I hear what other members have to say about it before I decide how I shall vote.

HON. N. E. BAXTER (Central—in reply) [5.35]: I thank Mr. Logan for his remarks on the Bill; but apparently the majority of members prefer to remain silent. As Mr. Logan said, it is rather a pity that the Bill was introduced during a session when an all-party committee was appointed to inquire into the Licensing Act. Evidence on this matter has already been given to the committee; but, of course, it cannot make a report at present. I believe that, off the record, although the committee has no power in this direction, it has advised the Minister to allow the Bill to be debated in this House. Naturally it is the Minister's prerogative to say whether that shall be done; and, in this case, he has decided to let the matter be debated.

I ask members to leave out of consideration the fact that the committee is sitting at present, and discuss the Bill on its

merits. On present indications the committee will not be able to make a report until some time next year. But in the meantime all sorts of things could happen to the licensees of the three hotels I have mentioned. I believe they have not been given a fair crack of the whip, because they are excluded from Sunday trading. The three hotels—at Parkerville, Mundaring and Mundaring Weir—are on a par with the other two or three hotels in the hills districts; and, in my opinion, should get the same treatment.

The clients of the three hotels which would be covered if this Bill were passed go to Sawyer's Valley or Mt. Helena when they want drinks on Sundays. If this Bill were agreed to they could obtain a Sunday drink in their own district without having to travel some few miles to some other hotel. After all, these residents get a service from their own hotels every day of the week except Sunday; and, as I said when introducing the measure, in most cases the publicans in those areas are quite often the father confessor, or even the financiers for some of the local inhabitants. To a large extent they are an asset to their community; and yet they are precluded from trading on Sundays because they are not beyond a radius of 20 miles from the Perth Town Hall.

I maintain that the Act as it stands is right out of focus, especially when one considers that it is impossible to travel as the crow flies, unless one owns a helicopter; and I do not know of a privately-owned helicopter in this State.

Hon. G. E. Jeffery: What about a Sputnik?

Hon. N. E. BAXTER: Nobody travels by Sputnik yet. These days everybody travels by road, and one must travel over 20 miles by road before one can arrive at any of the hotels I mentioned. The same applies to the Naval Base hotel, which would come under this Bill if it were passed.

As regards the hotel at Rottnest, I understand that certain trading has been done on Sundays, but it is hard to police because police officers have to come from the mainland. I believe that the Minister who controls Rottnest, and also the Board of Control, is a little bit concerned about the position. The board is perturbed that the police may step in and upset the applecart, because it feels that the present position of having liquor available at a hotel is much better than the old system; and that if Sunday trading were allowed at Rottnest it would be of considerable benefit because of the distance from the metropolitan area.

On the other hand, the Rockingham hotel is only 18 miles from the City of Fremantle; and yet I believe its trade on Sunday is the biggest in the State. I should imagine that the Sunday trading

alone at Rockingham would be a lot larger than that of any other three hotels in the State put together.

Hon. F. R. H. Lavery: It approximates £400 every Sunday.

Hon. N. E. BAXTER: That is a terrific trade; and I do not see any reason why it should not be shared with other publicans in nearby districts. The Naval Base licensee has done a good job in renovating the hotel and making the premises clean and up to date. But what recompense does he get for it? Nothing. If Sunday trading were granted to that hotel it would be some recompense for having laid out so much money; and, after all, Naval Base, like Rockingham, is a holiday resort. So there is no reason why it should not have the same treatment.

Had the Act been put on a proper basis in the first place we would have stipulated 20 miles by a trafficable route; but as we stated 20 miles from the Perth Town Hall we should have stated 20 miles from the Fremantle Town Hall also. That would have been fair because both of them are cities; and today people living in Fremantle, who wish to have a drink on Sundays, have to drive only 18 miles to the Rockingham hotel.

Hon. F. R. H. Lavery: Does the Armadale hotel come into this?

Hon. N. E. BAXTER: No. People who live in Perth, and who want a drink on Sundays, have to drive well beyond 20 miles to get it at the nearest hotel. All I am asking by the passing of this measure is to put the position on a reasonable and fair basis. We have already accepted the principle of Sunday trading in the country; and, after all, the people living at Parkerville, Mundaring and Mundaring Weir, are living in the country. They do not live in the metropolitan area, and they should have the same treatment as those who live further out in the country. So I trust members will agree to this measure and assist these people.

As Mr. Logan has said, if this legislation is not passed, the licensee of the Mundaring Weir hotel will have to close the hotel. It is a good residential hotel and the licensee, who is a lady, has done a particularly good job since she has been there. She has gone to no end of trouble to provide meals and afternoon teas, and to encourage guests to go to the hotel. But meals alone are not sufficient to enable her to carry on; and the same applies to the other two licensees.

They, too, have done a good job on the residential side, but that is not sufficient to enable them to keep operating with a reasonable return. I believe they should be given the opportunity of getting a little extra, which Sunday trading would give them, to enable them to carry on their hotels on a decent basis. With that plea I commend the Bill to the House.

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

Ayes	.....	13
Noes	.....	15

Majority against 2

Ayes.

Hon. N. E. Baxter	Hon. L. A. Logan
Hon. G. Bennetts	Hon. G. C. MacKinnon
Hon. L. C. Diver	Hon. R. C. Mattiske
Hon. J. J. Garrigan	Hon. C. H. Simpson
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. J. G. Hislop	Hon. W. R. Hall
Hon. F. R. H. Lavery	(Teller.)

Noes.

Hon. J. Cunningham	Hon. H. L. Roche
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. G. Fraser	Hon. J. D. Teahan
Hon. A. F. Griffith	Hon. J. M. Thomson
Hon. R. F. Hutchison	Hon. H. K. Watson
Hon. G. E. Jeffery	Hon. F. D. Willmott
Hon. A. R. Jones	Hon. J. Murray
Hon. Sir Chas. Latham	(Teller.)

Question thus negatived.

Bill defeated.

BILL—OPTOMETRISTS ACT AMENDMENT.

Returned from the Assembly with an amendment.

BILL—STAMP ACT AMENDMENT.

Received from the Assembly and read a first time.

BILL—SHEARERS' ACCOMMODATION ACT AMENDMENT.

In Committee.

Resumed from the 6th November. Hon. E. M. Davies in the Chair; the Minister for Railways in charge of the Bill.

Clause 4—Section 6 amended:

The CHAIRMAN: Progress was reported on Clause 4 to which an amendment was moved by Hon. A. R. Jones as follows:—

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

Hon. A. R. JONES: I thank the Minister for postponing consideration of this matter to allow me to make investigations. I have done so; and it seems that the parties who agreed to this Bill as it is, met as committees from various parts of the State, and at the moment they are spread throughout the length and breadth of the State. The suggestion I put was well received, but they could not give me a decision at the moment. I have no desire to do the wrong thing by anybody; and perhaps it would be better if I left this matter till I can place my amendments before the interested parties with a view to bringing their decision before Parliament next year. If members look at line 11 on page 3 they will see what appears to

be a printer's error. Apart from shearers and those classed as shearers there are no others.

Hon. F. D. Willmott: A cook is classed as a shearer.

Hon. A. R. JONES: I do not think so; but if he is, it is all right.

Amendment, by leave, withdrawn.

Clause, as previously amended, agreed to.

Bill again reported without further amendment and the report adopted.

BILL—NURSES REGISTRATION ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the 7th November.

HON. J. G. HISLOP (Metropolitan) [5.55]: This in itself is quite a small measure, which seeks to place the Principal Matron of the Public Health Department on the Nurses Registration Board as an ex officio member. At the outset I would like to say that I am not in any way dealing with personalities, because I would like to join in the eulogy which has been expressed concerning the Principal Matron of the Public Health Department for the work she has done for the State. She is probably one of the most experienced nurses in the State, with wide experience through travel and also through the occupation which she so ably fills. It is therefore fitting that the Government should ask that she be placed on the Nurses Registration Board.

It does, however, bring up the question of the constitution of the board. It is a long time since this board was overhauled; and to the best of my knowledge it has been much the same in constitution for many years. We are entering into a new era in medicine in this State; and for the first time we are to have nurses trained in a medical training school, in the Royal Perth Hospital, the Fremantle Hospital, the Children's Hospital—in fact they are all taking part in the training of students.

The result is that they, too, are entering a new era. It therefore gives an opportunity to review the question as to whether the Nurses Registration Board as at present constituted really fills the need in this time. As it is constituted in this State the board is an educational board, which has a good deal to do with the curriculum of nursing training, and with the acceptance of the qualifications of nurses for registration within this State. If members look at the constitution of the board, they will see that the ex officio members at present are the Commissioner of Public Health and the Inspector General of the Insane. Now it is sought to add a third who would be the Principal Matron of the Public Health Department.

I think it is essential that a matron of the training schools should also be, ex officio, a member of this board. I do not suggest that any person by name, or indeed any particular hospital, should be chosen, although it is natural of course to realise that the major part of the work, and the greater part of the new machinery relative to the advances in medical science, will be housed at the Royal Perth Hospital, and the work will be done there.

This State and city are not yet large enough to have more than one hospital containing one of the more advanced sections in medicine and surgery. Therefore, it is possible that one should look to the Royal Perth Hospital as the centre of the training units at the moment. It may not always be so. It may be—in fact, there is a very considerable hope—that a university clinical teaching hospital will be built within the foreseeable future in the grounds at Hollywood, close to the University; and it may be that that hospital will assume the role of the major training centre of the State.

The words "Principal Matron" have been accepted more or less by the military or by the air force as being the title of a person who is matron with a number of matrons under her charge, rather than the matron of a single hospital. Maybe times are changing; but in the past we have always regarded the matron of the senior medical unit of the State as being the senior matron. Even in this State that person would have the greatest number of people under her charge, because in the Royal Perth Hospital there is a very large number of nurses in training—at times, I understand, running up to somewhere about 700.

Thus, if we are going to extend this board, I believe we could well do so by making an appointment of one of the matrons of the training centres. I think that would bring something to the administration of the Nurses Registration Board and would be commendable.

Then we come to two medical practitioners, one of whom is practising as an obstetrician, nominated by the British Medical Association. The next group comprises two senior registered nurses on the staff of a nursing training school or hospital in actual practice as such.

When they were appointed, we had not reached the stage of tutor sisters; and today it is the tutor sister who is closest to the nurse in regard to her training; it is the tutor sister who appeals so much to the Florence Nightingale Memorial, when it gives scholarships. Tutor sisters are sought by all hospitals because the training of the nurses has taken on a much more detailed and—shall I say—more intimate nature than it has in any previous generation.

I would say that we could quite well alter this section of the board to include "tutor sisters" as well as "senior nurses." It may be wise to still further increase the board by increasing that number of nurses from two to three. We could have one from the general training hospitals, one from other or maternity hospitals, and one from the Government hospitals. I believe that Miss Harler is at present in charge of the training of tutor sisters in the Government training school at Collins-st. These tutor sisters will move on from time to time; they will not be permanent members.

However, if they are appointed to this board they will bring a refreshing outlook and a more modernistic approach than we have had in the past. Some of the general complaints by nursing trainees have been that those who lay down the curriculum and who are in charge are far too removed in years from the nurse in training. By placing tutor sisters on this board, we would have an opportunity to bring the training in closer proximity to the student or trainee nurse.

The final group on the board comprises three—a general nurse, a mental nurse, and a midwifery nurse—elected to represent their respective spheres. Therefore, we have a widely representative board on which are three nurses chosen by the nurses themselves. In addition, I would suggest three tutor sisters and two senior matrons of the State—at least two of the senior matrons of the State—two medical men, the Commissioner of Public Health and the Inspector General of the Insane. By increasing the board from nine to 12 we would meet the requirements of modern nursing training. At present I am toying with the idea of suggesting that apart from the ex officio appointees, no one shall hold office for more than five years. I think that would also bring a refreshing viewpoint to the training of nurses.

It may be thought one should allow for anyone to be eligible for re-election after a period of one year or something of that length of time; but in order to allow some fresh appointment to occur and fresh viewpoints to be brought to this board, I made my previous suggestion; because there is no doubt whatever that the whole question of nursing training at the present time is undergoing review throughout the world. It will be interesting to read the findings of the recent international conference in Rome, at which both the Principal Matron of the Health Department and the matron of the Royal Perth Hospital were present as members of our own nursing profession.

Until recently one realised that there was a general opinion growing that the trainee nurse should no longer be regarded as a trainee but as a student, and should have all the attributes and facilities that a

student requires. Therefore, the whole question of specialisation in nursing, following upon a basic education, has been given considerable thought throughout Australia and Great Britain. In this era of change I believe we should review this board, and it is my intention, if the Chief Secretary will be so good as to postpone the Committee stage for a day, to place upon the notice paper some amendments which the Committee can consider. Otherwise, I support the second reading.

Question put and passed.

Bill read a second time.

BILL—BASIL MURRAY CO-OPERATIVE MEMORIAL SCHOLARSHIP FUND ACT AMENDMENT.

Second Reading.

Debate resumed from the 7th November.

HON. L. A. LOGAN (Midland) [6.10]: This is only a small measure, but it is altering the original idea in regard to the scholarship. Members may recall that in 1926, to commemorate the name of the late Basil Murray who did so much for co-operative societies in Western Australia, moneys were subscribed for the purpose of sending the sons of co-operative people to Muresk for a term not exceeding three years and at a cost of no more than £78 per year. Apparently this scheme was not having the desired effect and it was decided to bring before Parliament a measure designed to alter the conception so that sons of co-operatives could be trained in co-operative principles and business practices. In regard to those who were taught at Muresk in the first place, we have not been told how many were taught or given a scholarship—

Hon. J. G. Hislop: What is the total annual income?

Hon. L. A. LOGAN: We have not been told. When introducing a measure such as this, which is seeking to change the status of the scholarship, the Chief Secretary should give us some more information on these matters. I think we are entitled to know how many of the sons of these co-operatives have been through Muresk under the original conception; how many have been trained in the principles of business practice; just how much money has been paid out in the training of these sons; and how much is in the account now.

The Chief Secretary: Do you think it is a Government responsibility or a co-operative movement responsibility?

Hon. Sir Charles Latham: They should supply it.

Hon. L. A. LOGAN: The Chief Secretary introduced the Bill, and in my opinion it is his job to present us with the necessary information. The co-operative movement cannot do so here; only the Chief Secretary. Therefore I am asking for this information, and it is up to the movement to

supply the Chief Secretary with it. We should have this information when we are asked to alter the original concept of this scholarship in order to extend it to the employees of a co-operative society.

The co-operative societies are apparently satisfied that the scheme at present does not fulfil its task and want to alter it. I am not going to argue about that, because I do not know anything about it. I am relying on the good sense of the trustees of the movement, and if they suggest it is too narrow and should be widened to include certain employees of the movement who are worthy of further training, I think they will get some value out of it. I am not arguing about the changing from the old concept to the present one, but I do ask that some further information be given to members of this House along the lines I have outlined.

I hope the Chief Secretary will arrange for the trustees concerned to make available to members of this House the following information:—Those who have been trained; the number likely to be affected by the change; how much money has been spent; and what the position of the fund is at the moment. If the Chief Secretary can supply the House with that information, we shall all be indebted to him. I support the second reading.

On motion by Hon. Sir Charles Latham, debate adjourned.

Sitting suspended from 6.15 to 7.30 p.m.

BILL—CATTLE TRESPASS, FENCING AND IMPOUNDING ACT AMENDMENT.

Second Reading.

Debate resumed from the 7th November.

HON. N. E. BAXTER (Central) [7.31]: I obtained the adjournment of the debate in order to have an opportunity to peruse the Bill; and after having given it consideration, I find that it is quite reasonable. It gives power to municipalities or road boards to make by-laws defining different types of fences that are required in various parts of their districts.

This could have a valuable effect, particularly in municipalities. In some areas it might be decided that a sufficient fence was a 6ft. closed picket fence; whereas in other areas local authorities might decide that an open picket fence was more suitable. The fixing of the type of fence to be erected would save quite a lot of argument between neighbours. One might desire to have a closed picket fence and his neighbour might desire an open picket fence; and any differences would be settled if the fence required by the local authorities were stipulated. I support the second reading.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—FACTORIES AND SHOPS ACT AMENDMENT.

Second Reading.

Debate resumed from the 7th November.

HON. H. L. ROCHE (South) [7.36]: As it appears that this Bill will pass the second reading—and even if it did not, sufficient legislation has been passed for the Government to give effect to the principles of the Bill—I hope the Government, in implementing the measure, will give some thought to the public, particularly the travelling public as distinct from the general public. It might very well give careful consideration to the principle involved in the amendment suggested by Dr. Hislop.

To me, one of the greatest difficulties that will arise under the legislation will be to know who is available to supply petrol at the so-called extraordinary hours. It is well enough on the main highways. If a service station remains open, the fact is sufficiently advertised. But now it would appear that all service stations are expected to come into this.

Speaking the other night, Mr. Lavery said there was a fine of £20 to be imposed by goodness knows who on anyone who does not accept his responsibilities and open during the extraordinary hours when his turn comes. I can see extraordinary difficulties arising. There are service stations at the back of Victoria Park off the highway. There is one at Applecross, and there are one or two at the back of Mt. Pleasant. How would a person from the country who wanted petrol know where to look for the station at which he could obtain it if he happened to be in the metropolitan area on a day or night when it was that particular station's turn to be open to serve petrol during the extraordinary hours?

From what I have heard of this matter, it appears to me that the general public—and I am particularly concerned with people from the country—have not been given sufficient consideration. There are stations at present that are serving petrol at all hours—such as the one at the top of the Armadale hill—Yule Do—and another at Sawyer's; and I understand there is one at Byford on the South-Western Highway. Some service somewhere about those areas is absolutely essential for people who may be running short of petrol. I do not know where Mr. Diver gets his information, but he says they have it. If these people are brought within the scope of this legislation—and I understand they are—what happens in respect of the other

stations in those areas? Are they going to be content to allow these people to service the public as they have been doing?

Hon. F. R. H. Lavery: Don't you know what "roster" means?

Hon. H. L. ROCHE: That is the position. They are put on a roster. Then where is the next station?

Hon. F. R. H. Lavery: That has all been planned.

Hon. H. L. ROCHE: That is very nice! Apparently the hon. member knows what the plan is. But I want to know how we are going to provide for people along the Albany Highway who need petrol within 20 or 25 miles of Perth. Where is the next station? Is it at the Armadale railway station, or is it at Kelmscott, or where? And how is the public to know? A notice may be put up at "Yule Do," but people do not know the locality of every service station in the area. Yet at 10, 11 or 12 o'clock at night, they will be expected to find the station which is open to sell petrol.

Similarly, there is the locality of Applecross and that of Mt. Pleasant. Anyone from the country would undoubtedly be able to find a petrol station open on the highway; but on the night that none is open on the highway, and the sale of petrol is being made at a station in a back street, how does the person from the country find that station? Not everyone carries with him a map of the metropolitan area.

Hon. F. R. H. Lavery: How do they do it in the other States? How do they find it in Brisbane?

The PRESIDENT: Order, please!

Hon. H. L. ROCHE: I am not in Brisbane. It seems to me that the Government feels it is honouring an obligation which was entered into in respect of these service stations; but I think there is an utter disregard of the needs of country people and the motoring public who may be caught during these extraordinary hours without petrol, and who will be forced into a strait jacket in order to conform with the desires of the retailers of petrol who never had it so good up till about 1951; and who, when competition became a bit severe, were not efficient enough to be able to maintain what they thought should be their share of the profits from this business.

I was not very impressed by the remarks of Mr. Logan, who stated that he wished to curtail the activities of the oil cartels. This measure does not affect the oil cartels one iota. From the day when the oil cartels were satisfied that the Royal Commission would recommend in favour of maintaining the one-brand petrol stations, they were not particularly concerned, as they knew the public would still have to buy their petrol.

It is the public who have to put up with the restricted hours and the inconvenience. The motorists want the petrol and the oil

companies are ready to sell it to them, but so far as limiting or prejudicing them or bringing them under any measure of control is concerned, I believe it is just a figment of the imagination to say that the oil cartels would be affected by this measure. The oil companies are satisfied with conditions as they are, except that a couple I have spoken to are concerned about the inconvenience to which the public are going to be put—

Hon. A. R. Jones: Do you think so?

Hon. H. L. ROCHE: Much has been said of the hours that petrol retailers have to work, but some of the hours quoted, as Mr. Jones pointed out, do not amount weekly to the hours worked by a country hotelkeeper, whose duties are much more onerous than is the work of those who are called upon to serve petrol. The country hotelkeeper today has to serve liquor for 76 hours a week and to be on the premises for at least another 14 hours a week, yet we have had no agitation from them or concern shown for them. I do not think they want the same concern shown for them in regard to hours as the petrol traders do. They entered into the business with their eyes open and set out to cater for the public, which they have done with greater or less success.

Some of these petrol resellers do not want competition, but desire to eliminate it; and I repeat that they have never had it so good before. Apparently the Government is surrendering its powers and authority abjectly to this committee which is to be appointed by the retailers of motor spirit, and which is going to dictate to the consumers of motor spirit as to how, when and why they should be allowed to purchase their requirements.

Even if there were some justification advanced for a limitation of the hours of petrol trading, I submit that we have still heard nothing that would give us any confidence in any suggested arrangements that are to be made for country people coming to the metropolitan area, or those travelling in country areas; because, although we are told that the measure will not apply to country districts, I have no illusions in that regard and I believe an early opportunity will be made, or taken, to apply the legislation to country districts.

I can visualise the difficulty a traveller would experience if he wanted petrol in an emergency in certain country towns. Some of the larger towns have not all the service stations concentrated in one main street and in those circumstances a stranger would have considerable difficulty in trying to find which was the service station that was open, once they had been rostered.

To refer to the proposals in the Royal Commission's report with regard to emergency supplies of petrol, I can only say that to me they seem ludicrous. In

fact, I wonder how much consideration members of the Royal Commission gave to them—

Hon. L. C. Diver: Can you think of a better idea?

Hon. H. L. ROCHE: I do not know of a better one and I could not think of a more humorous one. I imagine that the hon. member is the closest thing to Daddy Christmas that the petrol traders have seen since they went out of short pants. First of all the person concerned has to find a policeman. In country towns or elsewhere, under the recommendation in that report, one is expected to find a policeman, perhaps at 11 p.m. or on a Sunday—

Hon. N. E. Baxter: Is that in the report?

Hon. H. L. ROCHE: If someone ran out of petrol at Gosnells, for instance, late at night or on a Sunday, he could only be sure that there would be a policeman on duty in the Perth traffic office, if he could get that far, and then they would have to find a garage attendant who had not gone to the beach for the week-end, or somewhere else. Having done that he would be allowed to purchase petrol with which to continue his journey.

I submit that the retailers themselves are not 100 per cent. in favour of this repressive legislation, which would put the motoring public into a strait jacket, for the sake of some retailers who possibly made a bad bargain and some who had it so good, until 1951, when they had to face up to a bit of competition, so that now they are willing to use every means at their disposal in order to try to preserve the position as it was before competition developed.

Part of the statement in the Royal Commission's report, made by Mr. Harland, the manager of the Shell Company, is as follows:—

I feel that more could have been achieved if a greater number of Shell dealers gave the standard of service which the motoring public are being educated to expect. If this had been done gallonage losses at individual stations due to the onset of new site competition would have been far less serious than now, in some cases, and a wholesome corrective would have been supplied to some ambitious companies per medium of a scanty reward on their capital investment.

I think that serves to illustrate the fact, which was obvious at that time, that if some of the Shell dealers—as their manager said, and I do not doubt it applied to other companies—had been on the job, trying to cater for the public, they would not at that stage have been squealing quite so loudly about the hardships that they were experiencing as the result of the competition which had developed.

As Mr. Chard, manager of the Vacuum Oil Co. said, it could possibly be that the restraint on new outlets was so severe in previous years that when the restrictions were removed the development was more rapid than anticipated. He said, further—

However, I believe that with the continued increase in traffic, even if any overbuilding has occurred, it will be overtaken in a very short while.

I think that is largely what has happened: that the overbuilding which may have occurred—and it is questionable whether there was very much of it—has now virtually been caught up with. I understand that in some instances where the complaints are loudest the individual is not a particularly good businessman, and it could also be in some cases they are still thinking of 1951 and are not prepared to go out after business.

Hon. F. R. H. Lavery: The C.O.R. station 200 yards from this building closes at 6 p.m.

Hon. H. L. ROCHE: More than one station closes at 6 p.m., and that leads me to wonder what is going to develop under this legislation. Some petrol stations on Canning Highway close at 6 p.m. and others at 8 p.m. Are they now going to come in, because there may be some extra pickings, and stay open for the extraordinary hours; or will they be content to continue to close at 7 p.m. or 8 p.m. and allow one or two stations to continue to do that out-of-hours trading? As Dr. Hislop implied in his amendment, there are certain stations in the metropolitan area which he thinks should be allowed to continue trading in extraordinary hours, because at least the public knows where they are.

I do not think the Government has given much thought to the position of the public in this regard, but has allowed itself to be stamped into the belief that there was a genuine case for protection, even though that protection would prejudice the motorist and particularly the country motorist.

The Royal Commission gave some figures on gallonage which, to my mind, are instructive. In 1951 there were 178 multiple-brand petrol stations and in 1956 there were 363 one-brand stations. Naturally, if the multiple-brand stations ceased to be multiple brand and the various pumps at a station had to be divided up amongst other stations, of necessity there would be an increase in the number of stations. Even then the number is little more than doubled.

I think the Government and the Royal Commission allowed themselves to be stamped and to get the idea that the one and only purpose of the Royal Commission was to protect some retailers, who

had had a pretty good time, and others who had made bad business deals and could not stand up to the competition.

All this talk about what they have lost and how many men are competing, even on the Royal Commission's figures, does not seem to me to stand up to close analysis. The total gallonage sold through all retail outlets in the metropolitan area in 1951 was 13,800,000 gallons, and in 1955—presumably the figure for 1956 would be higher—it was 28,200,000 gallons. There we have an increase of over 100 per cent. in the throughput of petrol in those years, and yet there is only little over 100 per cent. increase in the number of service stations, and the changeover from multiple brand to solo brand stations, and the industrial pumps went up considerably.

However, the total throughput of industrial pumps from 1951 to 1955 rose from 2,600,000 gallons to 5,000,000 gallons, a rise of less than 100 per cent. Taking it all into account, it was 2,400,000 gallons out of an increase of 14,000,000 gallons. The throughput through bowsters went up 100 per cent., and the throughput through industrial pumps went up by under 100 per cent.

I have been told that all petrol comes out of the one pool—and, in fact, out of the one tanker. However, I would not know. There are figures in the report by the Honorary Royal Commission that lead me to think that my conclusions concerning these people who have squealed so loudly and have succeeded in getting the Government to clamp down on the trading hours to inconvenience the motoring public for their own benefit are correct, in that they wanted the very nice time that they had been enjoying to continue.

If members care to study the report by the Royal Commission they will find, on page 40, the following comment:—

11. Evidence of retailer witnesses, when taken in conjunction with Exhibit 39, suggests that those witnesses who were operating service stations in 1951 enjoyed an average throughput in the vicinity of 124,000 gallons per annum.

However, if one refers to paragraph 9 on the same page, the following appears:—

From a study of the various criteria in conjunction with evidence tendered, service stations come under two broad types:—

- (a) Grade 1, providing the following services:—
 - Number of petrol outlets.
 - Lubrication bay.
 - Stock of oil.
 - Water supply.
 - Drive-way.

Air compressor.

Tyres, batteries and accessories.

(With required minimum annual throughput of 100,000 gallons).

- (b) Grade 2, providing all services as in Grade 1, but with addition of attached workshop.

(With required minimum annual throughput of 70,000 gallons).

Paragraph 10, on the same page is as follows:—

The Commission is of the opinion that it would be to the advantage of both wholesaler and retailer if the required minimum gallonage in each instance was to be increased.

However, when one thinks that the average throughput in 1951 for all grades of service stations was 124,000 gallons it will be appreciated what I mean when I say that these people never had it so good as they did in 1951. It was an opportunity to maintain a monopoly with the power to impose on the motoring public the restrictions which apparently are to be imposed on all motorists by this Bill. They therefore grasped this opportunity when it was offered.

I do not want to delay the House any longer, but I hope the Government will give a little more consideration to the needs of the public, and particularly the travelling public. In the main I am concerned with the country people, but the concern of the Royal Commission was for the retailers. Right through its report, constant reference is made to retailers. In a very cavalier manner the Royal Commission dismissed the representations of the secretary of the Royal Automobile Club—which organisation represents 62,000 motorists—because it did not think the interests he represented were as important as those of the retailers.

The Royal Commission considered that the drum depots, which provided a real service to the country people, should not be reopened because, in its opinion, the people in the country could travel to Fremantle for their needs even although it meant a trip from the Midland Junction saleyards to the Fremantle oil depots. Alternatively, in the opinion of the Royal Commission, the country people could obtain their drums of petrol or oil at the country depots by paying an extra differential charge of 5d., 6d. or 8d.

Hon. L. C. Diver: That is only what you believe.

Hon. H. L. ROCHE: What I believe and what the Royal Commission believes are two entirely different things. I hope the Government will give more consideration

to this matter before it proclaims this legislation and creates this extra governmental body to be composed of retailers for the purpose of ensuring that the legitimate requirements of motorists in the so-called extraordinary hours can be met in a reasonable manner.

I say that because, up to date, apart from the proposal put forward by Dr. Hislop, I do not think there has been any suggestion made to consider the public. The sole purpose has been merely to implement the recommendations of the Royal Commission. Therefore, I oppose the second reading of the Bill. Not for one moment do I think the Bill will not be agreed to; but I think that the House should give some consideration to the principle embodied in the amendment proposed by Dr. Hislop.

HON. G. BENNETTS (South-East) [8.6]: I intend to vote for the Bill because I have received a letter from the Eastern Goldfields Service Stations Association asking for my support of it. In the letter it has been stated that the reason why the association favours this legislation is that the roster system which has been built up by the retailers of petrol on the Goldfields has proved to be extremely successful.

Under that system, one service station in Boulder and another in Kalgoorlie are open all day Sunday to meet the requirements of the motoring public. At each of the service stations in both districts there is a notice displayed on Friday, Saturday and Sunday advising which service station in Kalgoorlie and in Boulder will be open on Sunday.

Restricting the trading hours of the stations eliminates the lolly shop proprietor, or perhaps the grocer, who operates one bowser and who is prepared to work all hours in order to serve petrol, only without rendering to motorists those other services which are available at garages, such as the wiping of wind-screens, checking of tyres and batteries, etc. All members know that such services are freely available at many service stations today, and one is able to have his car completely checked before proceeding on his journey.

Tonight I have heard several members ask why the Government has introduced this legislation to restrict the trading hours of service stations. In my opinion many petrol retailers will be thankful for the Government's move. I know of one petrol retailer who, only this week, has suffered practically a nervous breakdown in endeavouring to keep his service station open at all hours in competition with other all-night service stations. Therefore, I am sure that many service-station operators or proprietors will go down on their bended knees and give thanks to the Government after this Bill is passed.

I understand that the provisions of the Bill will apply only within a 12-mile radius of the city. Anyone who was proceeding towards the city, and who was outside that boundary, would naturally fill up his tank with petrol before entering the city if he knew that all city service stations would be closed.

The Minister for Railways: Or join the Royal Automobile Club.

HON. G. BENNETTS: Yes. As the Minister has said, he could join the Royal Automobile Club. I am a member of that club and have had wonderful service from it. I am no mechanic; and on several occasions, when returning in my car after completing my holiday, I have had a little mechanical trouble. But within a quarter of an hour of my calling the R.A.C. a patrol officer of that club has fixed the fault and I have been able to proceed on my journey.

As the Bill is to apply only to the metropolitan area I cannot see that any great hardship will be imposed on motorists. It would be a different thing if such restrictions were imposed on a motorist who was proceeding overland and who required petrol when he was outside the boundaries of the metropolis. If the Bill is passed, all service stations within the metropolitan area will follow the same practice that has been adopted by the proprietors of service stations on the Goldfields; that is, they will have a notice displayed outside each garage directing any motorist to the garage that will be open beyond the normal trading hours. I have much pleasure in supporting the second reading of the Bill.

HON. E. M. HEENAN (North-East) [8.12]: I do not want to prolong this debate unduly because it seems apparent that the Bill will pass the second reading stage and that several provisions of the measure will be considered in Committee. However, after hearing Mr. Roche's remarks, I felt that, as the only member of the Honorary Royal Commission who has not spoken, I should add a few words to the debate. The point of view espoused by Mr. Roche was given very careful consideration not only by members of the Royal Commission but also, I think, by the protagonists of both sides.

The Royal Commission finally came to the conclusion that there would, undoubtedly, be a need to supply petrol after the hours which are set forth in the Bill, and it did put forward some suggestion so that that demand could be met. However, it would be fair to say that we, the members of the Royal Commission, did not put up that proposition as being the absolute answer to the problem.

No member undertakes to serve on a select committee or a Royal Commission with a view to doing anything but his best.

If any member was appointed to serve on an Honorary Royal Commission which sat for as long as this one did, and which approached its subject as conscientiously as this Honorary Royal Commission did, he would not expect thanks for his work. Nevertheless, it is a pity that sometimes one's intentions are misunderstood.

The Royal Commission sat from February until July of last year. In all, 80-odd witnesses were examined, so it can be safely assumed that the members devoted a lot of time to this task. Witnesses from all sections of the community and the trade were represented, and eminent counsel were engaged to present the cases properly. We travelled around the State as much as was needed.

The recommendations which the Royal Commission made eventually could not be expected to be perfect, but undoubtedly they were conscientious conclusions arrived at after months of consideration and after weighing all the pros and cons of the situation to the best of our ability.

Hon. L. C. Diver: They were based on facts.

Hon. E. M. HEENAN: The Government should not be criticised or held up to ridicule because it introduced a measure to implement one of the principal conclusions arrived at by the Royal Commission; that is, the vexed question of trading hours. It was undoubtedly one of the main controversies with which we had to deal. As in most instances, there were strong arguments in favour and strong arguments against extended trading hours. It is possible that the motoring public may be caused some inconvenience or hardship by this measure until they become accustomed to the proposals in the Bill.

The sale of petrol involves the livelihood of many people, and many small businesses are affected. The fact that some of the resellers are prepared to trade extended hours upsets the economic balance of what should be a successful and happy industry. If there are half a dozen petrol stations in one district, it should not be necessary for them all to remain open for the extraordinary hours of trading. At present if one extended his hours of trade, the others would have no alternative but to follow suit. The Royal Commission did arrive at the positive conclusion that something should be done to restrict the long trading hours. We realised that emergencies would arise when petrol had to be supplied outside of the ordinary trading hours, and we recommended some provision to cover that aspect.

It does seem to me that the hours prescribed in this Bill should work out in practice. People will gradually become used to those hours. We cannot take into account only the point of view of the petrol resellers; and I am sure the Royal Commission did not do that either. Although

it has been imputed, I am positive that the Royal Commission was not biased in favour of one section of the community. But it was right that we should consider the point of view of every section; that we should consider the general public and the other interests involved. After holding the scale as evenly as we were able to, we suggested trading hours somewhat along the lines set out in the Bill. Those hours should achieve justice for all concerned with as little harm as possible resulting to any section.

In my view the Bill is meritorious. If in the forthcoming 12 months, after its implementation, flaws show up, they can be dealt with in due course. For the time being the Bill is well worth a trial. I am convinced that the haphazard and unsatisfactory state of affairs which arose when the hours of trade were uncontrolled should not be permitted to continue. We are today living in a highly integrated society. In the interests of the majority, certain restrictions have to be placed on traders and on individuals. This regimentation of trading hours will achieve some good and should bring about stability in an industry which has been unbalanced in recent years.

THE CHIEF SECRETARY (Hon. G. Fraser—West—in reply) [8.23]: Seeing that this Bill ran the gauntlet of this House last year and every angle of it has been examined and re-examined, I do not intend to go over the same ground again. The Bill would not have been before us this year but for a misunderstanding. That misunderstanding arose as to what was the intention of the Government. The Minister in charge of the Bill in another place, and I myself in this House, made a certain promise which we discovered was not the real intention of the Government when it introduced the Bill.

As a result of that misunderstanding and the promise made in both Houses of Parliament, the Government in all honesty on this occasion, as in all its dealings, decided that before any steps were taken to implement the measure the position should be righted by the introduction of the Bill this year. Were it not for that misunderstanding, the legislation of last year would have been in operation many months ago.

Hon. C. H. Simpson: Why alter the provisions?

THE CHIEF SECRETARY: If the legislation last year had been proclaimed, the members who are now opposing this measure would no doubt agree that they made a mistake in opposing the measure last year, because in the meantime they would have found the provisions in the Bill working to the best interests of everyone.

Throughout the years when suggestions for improvement—irrespective in which direction they were introduced—were put

forward, there was always opposition. During this debate I have heard reiterated many points of view that I heard over 40 years ago when changes were proposed regarding the closing of shops on Friday nights and Saturday afternoons.

Hon. J. M. A. Cunningham: Now the trend is to get back to those trading times.

The CHIEF SECRETARY: If the hon. member were to refer to the debates of 40 years ago he would find a very great similarity between the comments made by the opponents at that time, and the comments made by the members opposing this measure.

Hon. J. M. A. Cunningham: The policy has not changed as much as you said it has.

The CHIEF SECRETARY: The policy of the people who stood in the way of progress has not altered, but the policy of those who are in favour of progress has altered. It has only been through the persistence of those who favour progress that any advancement has been made in this State.

Hon. Sir Charles Latham: Now in New South Wales an attempt is being made to revert to late shopping.

The CHIEF SECRETARY: I know that in some places retrograde steps are being taken.

Hon. Sir Charles Latham: That is being done by the Labour Government.

The CHIEF SECRETARY: Whether that step is being taken in New South Wales or anywhere else does not concern me. What I am mainly concerned with is that no retrograde step is taken in Western Australia. The Government, which was honest with Parliament by not proclaiming the measure passed last year, has now come back to Parliament and laid its cards on the table.

Hon. Sir Charles Latham: It has amended the legislation.

The CHIEF SECRETARY: That is the only point at issue. All the other points have been ironed out. The conscience of the Government is quite clear. Let me say very definitely on this occasion—just as definitely as I said last year that no interference will be caused to those who were operating for 24 hours of the day—that the provisions of the Bill before us will apply to all operators. Is the attitude of the Government clear enough?

Hon. Sir Charles Latham: You have now cleared up the misunderstanding that arose last year.

The CHIEF SECRETARY: I am not leaving Parliament in any doubt.

Hon. J. McI. Thomson: About the country area or the metropolitan area?

The CHIEF SECRETARY: This Bill is intended to apply only to the metropolitan area.

Hon. J. McI. Thomson: But the Government can proclaim any area.

The CHIEF SECRETARY: Later on, other areas can be prescribed.

Hon. F. D. Willmott: What you are saying is that they will be prescribed.

The CHIEF SECRETARY: No. I cannot anticipate what might happen in future.

The PRESIDENT: Order! Those points can be raised in Committee.

The CHIEF SECRETARY: I want to emphasise what exactly is the intention of the Government. It is that no operator will be exempt from the provisions set out in this Bill. I want that to be clearly understood so that later on I cannot be accused of misrepresentation. I would like to assure Mr. Roche, who had some qualms that the Government had not given full consideration to this measure, that the Government has in fact been considering this measure for the past 18 months.

Hon. Sir Charles Latham: It took a long time for it to make up its mind.

The CHIEF SECRETARY: The hon. member well knows that for 12 of the 18 months it has been held up because of a misunderstanding. The majority of the Government knew all along exactly what they were after. I can assure Mr. Roche that every angle has been thoroughly examined by the Government, and we are satisfied that no one will suffer inconvenience because of the introduction of the measure. Had we thought otherwise, we would not have introduced it.

This will prove to be, as have all other progressive moves in the past, something well warranted; and most of those who are opposing it today would, if given the opportunity next year, support it.

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

Ayes	.....	15
Noes	.....	10
Majority for	.....	5

Ayes.	
Hon. N. E. Baxter	Hon. G. E. Jeffery
Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. E. M. Davies	Hon. L. A. Logan
Hon. L. C. Diver	Hon. H. C. Strickland
Hon. G. Fraser	Hon. J. D. Teahan
Hon. J. J. Garrigan	Hon. F. J. S. Wise
Hon. E. M. Heenan	Hon. W. R. Hall
Hon. R. F. Hutchison	(Teller.)
Noes.	
Hon. J. G. Hislop	Hon. H. L. Roche
Hon. A. R. Jones	Hon. C. H. Simpson
Hon. Sir Chas. Latham	Hon. J. M. Thomson
Hon. G. C. MacKinnon	Hon. F. D. Willmott
Hon. R. C. Mattiske	Hon. J. Murray
	(Teller.)

Aye.	Pair.	No.
Hon. W. F. Willesee		Hon. H. K. Watson

Question thus passed.

Bill read a second time.

In Committee.

Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Section 100 amended:

Hon. A. R. JONES: I move an amendment—

That all words after the word "Act" in line 8, page 2, be struck out and the words "is repealed" inserted in lieu.

I wish to register my emphatic protest against this type of legislation. It takes away the right of the individual to do as he would wish and deprives the general public of services to which they are entitled. The motoring public are deserving of the utmost consideration, because from the day they buy a motorcar they are taxed in all possible ways. They have to license the car, license themselves as drivers, pay a huge tax on petrol, etc.

The CHIEF SECRETARY: I would like to ask Mr. Jones whether he understands just what he is doing.

Hon. A. R. Jones: I certainly do.

The CHIEF SECRETARY: As far as I recollect he opposed the second reading. His amendment goes further than we propose by the Bill.

Hon. A. R. Jones: Well, you vote for my amendment.

Hon. H. L. Roche: Do you mind his doing that?

The CHIEF SECRETARY: Yes, because we are looking after the interests of the public.

Hon. H. L. Roche: That will be the day!

The CHIEF SECRETARY: The hon. member's amendment will mean the repeal of Section 100.

Hon. A. R. Jones: That is what I want; there will be no restrictions whatever.

The CHIEF SECRETARY: This means that petrol stations will be closed much earlier. The hon. member will take away the protection that is now in the Act. He is trying to do something that is impossible. He seeks to take out a vital part of the Act. I suggest to members that they examine the position themselves.

Hon. A. R. JONES: If the amendment is carried, persons engaged in the selling of motor spirit, etc., will have the right to do so when they feel like it. If we were to revert to the Act, I would not mind, because no judge would convict under it previously.

Hon. L. A. LOGAN: Mr. Jones does not realise that he is taking out of the Act the section dealing with petrol reselling; and by so doing he is putting the petrol reseller back to the status of a shop.

Hon. H. L. Roche: Why not let him do it?

Hon. L. A. LOGAN: The section of the Act dealing with shops permits them to commence at 8 o'clock in the morning and close at 6 o'clock at night and remain open from 9 a.m. to 1 p.m. on Saturdays; and there is no Sunday trading. It would not be hard for anyone to get a conviction against service stations under Section 100 of the old Act. Had the authorities gone the right way about getting a conviction under Section 100 they would have been successful. The two cases that were heard were put up in the wrong way. The same type of thing went on with s.p. betting, and no Government was game to force the issue and so no more cases were taken.

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

Ayes	....	....	....	....	7
Noes	....	....	....	....	18

Majority against 11

Ayes.

Hon. J. G. Hislop	Hon. H. L. Roche
Hon. Sir Chas. Latham	Hon. J. M. Thomson
Hon. G. MacKinnon	Hon. A. R. Jones
Hon. R. C. Mattiske	(Teller.)

Noes.

Hon. N. E. Baxter	Hon. F. R. H. Lavery
Hon. G. Bennetts	Hon. L. A. Logan
Hon. J. Cunningham	Hon. J. Murray
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. G. Fraser	Hon. H. C. Strickland
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. E. M. Heenan	Hon. F. D. Willmott
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. G. E. Jeffery	Hon. E. M. Davies
	(Teller.)

Pair.

<i>Aye.</i>	<i>No.</i>
Hon. H. K. Watson	Hon. W. F. Willesee

Amendment thus negatived.

Clause put and passed.

Hon. J. G. HISLOP: I thought I had an amendment on Clause 2, Mr. Chairman.

The CHAIRMAN: Clause 2, as printed, has already been passed.

Hon. J. G. HISLOP: My amendments are on the notice paper, Mr. Chairman, and have been in front of you for some time.

The CHAIRMAN: The hon. member made no attempt to get up and move his amendments when I put the question that the clause stand as printed.

Hon. J. G. HISLOP: It has always been your custom to call on the person whose amendments are on the notice paper.

The CHAIRMAN: I will go back, because it will not make any difference. The question is that Clause 2 stand as printed.

Hon. J. G. HISLOP: I move an amendment—

That after the word "treatment" in line 18, page 2, the following be inserted to stand as paragraph (b):—

(b) by deleting all words in the definition of "representative body" following the word "the" in line one and substituting the following:—

body the Governor appoints and which shall comprise two members nominated by the Automobile Chamber of Commerce Incorporated; two members nominated by the Royal Automobile Club of W.A. (Incorporated) and a chairman who shall not be a member of either the Automobile Chamber of Commerce Incorporated or the Royal Automobile Club of W.A. (Incorporated).

I believe that there are other people who are interested in this measure beyond the Automobile Chamber of Commerce, and they should be represented. I have included those who I think best represent the public—I refer to the Royal Automobile Club. But I was amazed to receive a letter dated the 4th November, 1957, from that body, and amongst other things the letter stated this—

It is understood that you propose that the Royal Automobile Club should co-operate with the Automobile Chamber of Commerce, and an independent chairman to constitute the representative body to regulate the hours as proposed under the Bill. My club, however, is not prepared to act in a capacity which could conflict with its long-standing opposition to restricted hours for the sale of petrol. If the club agreed to act as suggested it would become a party to restrictions and automatically place it in an invidious position in regard to its members and its policy.

I was rather stunned when I read that, because I believe that the Royal Automobile Club is the only body in this State which can represent the attitude of the motoring public. Therefore I do not feel bound to withdraw my amendment, even in the face of the statement I have just quoted, because I believe that that body has a duty to the public in this matter. I believe that that factor can be emphasised by reading an article written by the club in its publication, "The Road Patrol," of April this year, when the club presumed that the previous Bill would come into force; and, I understand, before it knew anything of the new Bill which has now been presented to us.

This was what was published in "The Road Patrol"—

Unforeseen emergencies can arise at any time and petrol should be available at any hour to meet the circumstances. The R.A.C., therefore, adheres to the principle that resellers who are prepared to meet the after hours demand should be allowed to do so.

With this reservation the club believes that the new legislation prohibiting the sale of petrol after 7 p.m. on weekdays, 1 p.m. on Saturdays and noon on Sundays, except as mentioned hereunder, provides a reasonable spread of hours to adequately cater for the bulk of motorists.

A club that writes that in April and then writes what I have just read out in its letter to me in November, is hard to understand.

Hon. N. E. Baxter: And you think it represents the public?

Hon. J. G. HISLOP: I think it should represent the public and maintain a principle. I do not support a restriction of hours; but if it becomes law, we must abide by it. So I do not propose to withdraw the amendment; and I sincerely hope that the Committee will agree to it, and that the R.A.C. will reverse its decision. A large number of motorists rely upon the R.A.C. to represent them—I think there are some 60,000-odd at the moment—and I hope that that body will change its views, if this amendment is accepted and realise it owes a duty to the motorists by representing them on a committee which will decide their fate in regard to zoning.

Hon. C. H. SIMPSON: I support the amendment. The R.A.C. is a responsible body which could and should become a member of some controlling authority. I can quite understand the attitude which the club may have taken in the first instance. Obviously it did not desire the Bill to be passed. But it is a law-abiding body; and once the second reading of this Bill was passed it, like any other law-abiding body could, and I think should play its part in the interests of the motorists whom it represents.

During the deliberations of the Royal Commission, despite what Mr. Roche says, the opinions of the secretary of the R.A.C. were given a tremendous amount of consideration because it is recognised as representing the consuming public. I hope it will consent to play its part in implementing the intention of the amendment, and that it will assist the representatives of the Automobile Chamber of Commerce. I think they will welcome the assistance of some other body such as the R.A.C.

The CHIEF SECRETARY: I think Dr. Hislop put up a case both for and against his own amendment. He said he intended

to continue with it despite the fact that he had a letter from the body concerned informing him that it would have nothing to do with the committee. When the amendments were put on the notice paper I sent a copy of them to the R.A.C. for its comment, and I received the following reply—

The Committee of the R.A.C. advises that under no circumstances would they agree to be represented on Dr. Hislop's proposed body.

It would be foolish for us to put two persons on the committee from a body which said it was not prepared to act. If the amendment were agreed to, the effect of the Bill would be destroyed. I do not suggest that is the intention of Dr. Hislop, but that would be the case. I am surprised at Mr. Simpson's suggestion that the body might change its mind.

Hon. C. H. Simpson: I think it will.

The CHIEF SECRETARY: I have a letter from the R.A.C. which I have read.

Hon. C. H. Simpson: Before this Bill passed the second reading.

The CHIEF SECRETARY: Since the amendments were put on the notice paper. I am not prepared to take the chance that it might change its mind.

Hon. C. H. Simpson: Could you suggest a better body?

The CHIEF SECRETARY: That is not the point. We must confine ourselves to the amendment.

Hon. G. C. MacKINNON: The Chief Secretary has not touched on the principle contained in this debate. I think the R.A.C. would take the job on, and its attitude in writing such letters reflects little credit on it. I would like to hear the Chief Secretary on the question of a consumer representative on this board. Previously the Government has been very adamant in the matter of consumer representatives, and none of us needs a long memory to recall the many occasions on which this was demanded. I can think of no board on which there is not a consumer representative.

The Minister for Railways: The abattoir board has a businessman representative.

The CHAIRMAN: Order! The hon. member will address the Chair.

Hon. G. C. MacKINNON: I would like to hear the Minister for Railways on this question of consumer representatives on this board.

Hon. L. C. DIVER: Mr. MacKinnon suggests quite rightly that most boards have a consumer representative as a member, but it is not for us to deal with that aspect. The body from whom it was hoped we might get two members for the

board is not prepared to play ball. This is a novel attempt to do something; and if there is an anomaly or a difficulty that might arise, we could develop the theme mentioned by Mr. MacKinnon. If the amendment were agreed to it would make the Act inoperative.

Hon. J. G. HISLOP: There was an imputation, although it was denied later, that the amendment was moved with the view to destroying the Bill. It was placed on the notice paper before the letter from the R.A.C. was sent to me. My only thought is to provide a reasonable committee to control this matter, and the only way I can do that is by endeavouring to amend the Bill in the Committee stage. If the R.A.C. were approached and persisted in its attitude, then I would move for the recommittal of the measure. I am sure that body regrets having sent these letters. It could have said that it disliked the Bill intensely, but that it was prepared to represent the motoring public. That is what it should do.

To put the proposed committee in the hands of garage proprietors is tantamount to saying, "You can zone where you will, and you can say what areas will have all-night stations and where they will be at various times, or up to 1 a.m." It is taking from Parliament and giving to a body of persons an authority which they should not possess. We must pay some heed to the motoring public. If my amendment is not feasible, then perhaps somebody can suggest another body which can take the place of the R.A.C.

Hon. F. R. H. LAVERY: One point should be cleared up with regard to the R.A.C.—namely, that when Mr. Mortimer gave evidence before the Royal Commission—and he was the only member representing the public who did—he was asked whether he had sent out a questionnaire to his members, or if he had authority from his members to give the evidence he did. He replied that he represented 59,000 motorists who were members of the association, but to send a questionnaire out to those people to secure their individual views would be a big and costly task. Therefore, he felt that the evidence he gave the commission should be accepted as the opinion of the members of the association.

Hon. G. C. MacKINNON: The other evening, by interjection, I endeavoured to obtain from Mr. Lavery information with regard to that aspect. I asked whether the terms of reference of the Royal Commission specifically mentioned trading hours. This is the second or third time Mr. Lavery has been at pains to say that Mr. Mortimer was the only consumer representative who saw fit to come forward; the reason is that in the minds of the

public everyone thought of this as an Honorary Royal Commission inquiring into one-brand petrol stations.

The CHAIRMAN: I hope the hon. member will connect his remarks with the amendment.

Hon. G. C. MacKINNON: I suggest I am as much in order as was Mr. Lavery in his entire speech. It is out of the aspect I have mentioned that has arisen this attitude of disregard of the consumer. This is the time for the Committee to say that it wishes to consider the consumer and to take some definite steps along the lines suggested by Dr. Hislop.

Hon. J. MURRAY: I think Dr. Hislop made a most reasonable suggestion to the Committee that these gentlemen should be the consumers' representatives on this board. I believe that the Royal Automobile Club would change its mind if Parliament, in its wisdom, decided that body should represent the consumers. If the Chief Secretary feels that the letter is the end of all things so far as the Royal Automobile Club is concerned, I suggest he report progress in order to give members a chance to consult with bodies like the Farmers' Union, which is also a very representative body of consumers, and see whether it feels inclined to be nominated to the Committee.

The CHIEF SECRETARY: We cannot postpone things indefinitely. This matter has been on the notice paper for some two or three weeks; and, as an afterthought, it has been suggested that I report progress in order that further investigations might be made. While I am an innocent abroad, I am not falling for that.

Hon. C. H. Simpson: It is a fair enough suggestion.

Hon. J. Murray: You are determined the consumers will not be represented.

The CHIEF SECRETARY: Last year when the same Bill was before the House and again this year, right up to the Committee stage, the hon. member did not mention the consumers; and he wants me to fall for this suggestion. Suddenly his heart bleeds for the consumers.

Hon. L. A. Logan: Are not the retailers consumers?

Hon. J. Murray: Don't they count at all?

The CHIEF SECRETARY: If the matter were not so serious, I could laugh over the suggestion.

Hon. F. D. Willmott: We could cry.

The CHIEF SECRETARY: We have been reasonable in the way we have agreed to adjournments so far as this Bill is concerned, and any member who wished to make inquiries could have done so long ago without waiting for this moment. If

this is the way we are going to treat legislation before Parliament, I do not know when we can hope to finish the session. As much as I dislike refusing a request, I must steel my heart against this one.

Hon. A. R. JONES: I support the amendment moved by Dr. Hislop. Reasons have been given by other speakers as to why they feel the public should have representation, and I feel we are giving the public a raw enough deal in passing this legislation without making things more difficult. We should give an organisation which comprises 60,000 consumers an opportunity of representing the consumers.

I have no doubt that the committee of this organisation has made up its mind that it does not want to be associated with this proposal. However, I wonder if it has taken into consideration the thoughts and feelings of the people who are not on the committee. If this Committee passed this legislation feeling it would be advisable that consumers be represented, it would be up to the Royal Automobile Club to call a meeting of members to make a decision, and I have no doubt two members would be nominated to serve on this board.

Hon. G. C. MacKINNON: The Chief Secretary suggested that the consumers had never been mentioned in this Chamber either this year or last year.

The Chief Secretary: I was referring to Mr. Murray.

Hon. G. C. MacKINNON: The impression conveyed was that consumers have not been mentioned either this year or last year by members. In an endeavour last year to get through an amendment that consumers be represented, Mr. Murray agreed on the division list.

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

Ayes	.....	11
Noes	.....	14

Majority against 3

Ayes.

Hon. J. Cunningham	Hon. J. Murray
Hon. J. G. Hislop	Hon. H. L. Roche
Hon. A. R. Jones	Hon. C. H. Simpson
Hon. Sir Chas. Latham	Hon. J. M. Thomson
Hon. G. C. MacKinnon	Hon. F. D. Willmott
Hon. R. C. Mattiske	(Teller.)

Noes.

Hon. N. E. Baxter	Hon. G. E. Jeffery
Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. E. M. Davies	Hon. L. A. Logan
Hon. L. C. Diver	Hon. H. C. Strickland
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. R. F. Hutchison	Hon. G. Fraser
	(Teller.)

Pair.

Aye.	No.
Hon. H. K. Watson	Hon. W. F. Willesee

Amendment thus negatived.

Hon. J. G. HISLOP: I move an amendment—

That after the figure "(5)" in line 20, page 3, the following be inserted to stand as paragraph (i):—

(i) by adding after the proviso to subsection (5), the following further proviso:—

Provided also that in the case of a shopkeeper who has prior to the coming into force of this Act kept his shop open during extraordinary trading hours and who gives notice in writing to the Minister that he desires to continue to keep his shop open during extraordinary trading hours, such shopkeeper shall be permitted to keep open his shop during those hours.

We have now reached the stage at which zoning is accepted, and we are asking that those who have served the public well over the last few years and built up a service which the public has learned to use and find necessary should be allowed to continue to carry on such business.

I was surprised to hear the words of Mr. Diver that an individual had earned his money illegally by setting up an all-night service station. I would remind him that history has always made it quite clear that, when a law is obsolete, some individual will lead the way and show the need for the revision or the repealing of such a law.

These individuals have not been regarded as doing anything scandalous. They have been amongst those who have led the way to progress; and to be told that an individual who takes no heed of a law of which no one else took any heed, and has built up a service to the public is deserving of the terms used against him, is indeed strange hearing. These people have given a very good service over the years and the public have learned to go to these places.

Now when the need arises for a supply of petrol or other requisites one may drive to the place to which he was accustomed to go and find there a placard telling him he must go elsewhere. That may be some considerable distance away if the zoning is large, and I consider the public needs some consideration in this matter.

It may be all very well for the garage people to say they are going to control this, but the custom has developed of going to certain organised garages that maintain a very good service. Now, to protect these garage people against what we consider to be the unjust actions of the oil companies, we are going to destroy custom, and tell the public they must go elsewhere in order that we may get some conformity in garage hours.

Surely we have reached the stage when we realise that correcting one wrong does not correct another. I have heard members of the Royal Commission say they are not satisfied that this is the last word in protection in regard to the control and sale of petrol. Therefore, why not let these people continue who have built up a business and rendered a service to the public? Many of the public who go to these places would, if allowed an opportunity to express themselves, be most vehement in their demand that they be allowed to continue to serve them as in the past. These all-night service stations, if we limit them to the people now open, will in time disappear; and we will not have done the injustice of saying to a person who has built up a business, "You cannot continue. We are going to take away your business because we believe it is in the interests of other people to do so."

Under the proposal in the Bill the public will be told that this has ceased to be a custom they can enjoy, because we want to rectify the difficulties of other people who went to the Royal Commission with their complaints. I do not believe that is the correct attitude. I consider that we should do as we have done in the past when introducing new legislation, and say to those who have been earning their living by this means, "You can continue to do so."

Hon. F. R. H. LAVERY: I admire the crusade that Dr. Hislop has fought during my years here on behalf of free trade; so what I am about to say is not meant in any way to be derogatory of him. Dr. Hislop has missed a point. He said we were going to take away the business of a man who had built it up by service to the public. That is just the sort of thing that brought about the Royal Commission! Prior to the introduction of the one-brand system a number of people had built up very fine businesses from nothing, and had done it by dint of hard work and giving service to the public. What happened? After the introduction of the one-brand system—concerning which every reseller who came before the commission admitted there was nothing wrong in principle—a lot of those people suffered.

I do not want it to be thought that in my remarks I have in mind any particular oil company; but if this amendment is carried, one or two of the companies will be in the position of having a monopoly of trade in the evening to the exclusion of the other companies unless other stations are built elsewhere which can provide an all-night service.

The intention behind the amendment is only to give effect to what Dr. Hislop has preached in this Chamber for the 5½ years I have been here. But I feel that rather than speak on behalf of one or two businessmen who have built up a good business,

he should think about the other 70 or 80 who almost went to the wall when this position first arose.

We seem to be getting to the point where some alternative method can be tried, but I feel that if the amendment is carried we will be back to the position that prevailed under Section 100, which operated before the Royal Commission was appointed.

Hon. J. G. HISLOP: I would like always to believe what Mr. Lavery says, but sometimes I find it difficult. We have had Mr. Lavery, who was a member of the Royal Commission which found it necessary to suggest the introduction of this legislation because of the activities of the oil companies stating that if my amendment goes through some oil companies might get hurt.

Hon. F. R. H. Lavery: They will.

Hon. J. G. HISLOP: What a circle!

Hon. F. R. H. Lavery: You know they will.

Hon. J. G. HISLOP: The other night Mr. Lavery insinuated that I did not know much about what happened at Fremantle. But he does not know what happens in his own district. Coastal Cabs Pty. Ltd. opened a service station section two years ago and have asked that it be kept open.

Hon. F. R. H. Lavery: What about the other companies in my district that I do know of?

Hon. J. G. HISLOP: Let us get down to what the hon. member told me. He told me that I ought to realise that the taxicab companies could refill their petrol at any hour they liked. This company wrote to me on this matter as follows:—

I base my company's claim on the fact that since the day we opened the service station section two years ago, at 95 Market-st., operating then as Market Street Taxis, and now as Coastal Cabs Proprietary Limited, we have always operated on a 24-hour basis. It can easily be established that our claim is truthful and correct, as we have fairly widely publicised the fact that we are the only service station operating day and night in Fremantle.

I am not asking for only one man to be protected; there are others. One man has been criticised in this Committee, but there are other people conducting an all-night service. I mentioned the Tivoli Garage, which renders an excellent service. There is also an Ampol station in Adelaide Terrace which does a big night trade and has built up a considerable business. Then there is the one at Fremantle. I am not asking for one-man legislation, which I have always opposed, but asking that those who have built up a service to the public shall be given the right to continue it.

Hon. L. C. DIVER: I would like to draw Dr. Hislop's attention to the fact that there is a kindred industry to this one—the second-hand car dealing industry. Under the Factories and Shops Act it is definitely set out that these car dealers cannot sell their goods after hours. Surely there is also a public demand that they should be permitted to do that. But because the law has not allowed that position to get out of control, those people have had to keep to lawful trading hours.

Under the amendment, simply because garages, over recent years, have established what Dr. Hislop calls a custom, they are to be allowed to continue. I do not know how soon a practice becomes a custom. But there have been many things that people were accustomed to but which were illegal. There was street betting, for instance; and it was stopped.

Hon. G. Bennetts: Two-up too.

Hon. L. C. DIVER: That is so. My contention is that the hours of trading of these people—all-night trading—have been illegal; and every member knows it. The question was of establishing guilt. I maintain that the attitude I adopted and to which Dr. Hislop took exception—that these people built up substantial incomes in an illegal manner—was correct; and if we agreed to the amendment we would be clothing their action with legal authority. The Bill improves the position.

Hon. H. L. ROCHE: We seem to be changing around a bit. First of all we were asked to exclude these people in order to protect them from the oil companies. Now we are asked to exclude them because they built up a business which is illegal. As to whether that is correct or not, I think the facts speak for themselves. If it were illegal they would be stopped; but it was not possible to stop them. An effort was made years ago.

What strikes me in relation to the opposition to the amendment is that a lot of people do not want to keep open. Many are closing at 6 o'clock and others at 8 o'clock. Some of the stations of the big bad wolves of oil companies are amongst those I have in mind; but a few stations have been keeping open and rendering a service to the public. The public have got used to that and know where they can obtain petrol in these extraordinary hours. I am not concerned about the ordinary trading hours, but I am concerned about the man who is travelling and needs petrol to keep going. It is no use saying they will be rostered.

Take the Albany Highway. The two stations around Bentley Park might be rostered. But how many people from the country know where Chapman-road is? Yet there are two stations there within a quarter of a mile of the highway. One could spend half the night looking for them, although one was already short of

petrol. Why should not the service stations in such areas, which have been trading out of hours, be allowed to continue to do so? I believe that some of those who apparently now want to take part in this trading during extraordinary hours may be disillusioned. Many more stations close at 6 or 8 p.m. now than remain open.

The CHAIRMAN: This amendment deals with shopkeepers.

Hon. H. L. ROCHE: I was referring to that.

Hon. J. G. HISLOP: Apparently in Mr. Diver's mind it is simply a question of establishing guilt. I would remind him that still in this country—thank goodness!—a man is not guilty until proved guilty.

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

Ayes	11
Noes	14
Majority against	3

Ayes.

Hon. J. Cunningham	Hon. H. L. Roche
Hon. J. G. Hislop	Hon. C. H. Simpson
Hon. Sir Chas. Latham	Hon. J. M. Thomson
Hon. G. MacKinnon	Hon. F. D. Willmott
Hon. R. C. Mattiske	Hon. A. R. Jones
Hon. J. Murray	(Teller.)

Noes.

Hon. N. E. Baxter	Hon. G. E. Jeffery
Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. L. C. Diver	Hon. L. A. Logan
Hon. G. Fraser	Hon. H. C. Strickland
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. R. F. Hutchison	Hon. E. M. Davies
	(Teller.)

Pair.

Aye.	No.
Hon. H. K. Watson	Hon. W. F. Willesee

Amendment thus negatived.

Hon. J. G. HISLOP: I move an amendment—

That the words "of a member of that Club" in lines 21 and 22, page 5, be struck out.

A letter from the R.A.C. points out that it could not undertake this task, because in an emergency all it delivers is a gallon of petrol and the cost of delivering it would average about 10s. It is not likely that the individual concerned would be willing to pay 13s. odd for his gallon of petrol. It would also break down the principle of service to R.A.C. members. We must either give the R.A.C. the cost of supplying the petrol to the needy motorist or I must ask leave to withdraw the amendment. Realising that the Bill will have to come back here next year for examination, I ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause put and passed.

Clause 3, Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—FREMANTLE HARBOUR TRUST ACT AMENDMENT.

Assembly's Message.

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

BILL—PHYSIOTHERAPISTS ACT AMENDMENT.

Second Reading.

Debate resumed from the 5th November.

HON. J. G. HISLOP (Metropolitan) [9.55]: The task ahead of me tonight is one in which I find no degree of pleasure, and I regret that the necessity for it has arisen at all. I endeavour at all times to be charitable to people, but under the circumstances surrounding this measure I am afraid I cannot be so tonight. The Bill looks perfectly innocuous, and it is only the statements that have been made around the Bill, and the story that leads to its appearance here, that cause me to speak as I do, and in terms of some distress.

The information that has been used by Mr. Baxter in regard to this measure can have come from only one source. It may not have come directly from that person, but can only have come from that person through other media. The difficulty arises because one person has become very disgruntled. That person has received considerable help and consideration from the Physiotherapists' Board, but has certainly not returned it.

In order to make myself quite clear I will have to name that person. It is Miss Hammond, who did her physiotherapy training in South Australia and desired to enter a teacher course in physiotherapy in London. This could not be arranged through the Royal Chartered Society of Physiotherapists, because Miss Hammond did not have the requisite amount of post-graduate experience after her training. Her father approached the Physiotherapists' Board; and it, in turn, gave him its blessing and sanction to write to the Chartered Society, stating that anything that it could do in the way of showing consideration to Miss Hammond should be done, because of the scarcity of teachers of physiotherapy in Western Australia.

Miss Hammond, therefore, did her course of teacher training, I believe, at St. Thomas's Hospital, London, and the course there is regarded as the finest of its type. It was by the aid of the Physiotherapists' Board that Miss Hammond was able to do this. At the end of her training there arose the question of appointment back to Western Australia, to the school, and she was told that there was a post as assistant teacher here. Knowing all the facts, she decided to accept the post and returned to Western Australia.

Having come back here and having accepted the post as assistant teacher she, shortly, contacted Mr. Keating, then director of the school of physiotherapy; and when she found that he had no intention of resigning his post she refused to have anything to do with the school, and from there on the matter has become one of almost personal character.

One of the difficulties was that shortly after that Miss Hammond wrote a long letter to the Physiotherapists' Board in which she stated that Mr. Keating was an unqualified person. Further, I understand that she has since used in public the phrase "unqualified person" in referring to Mr. Keating. That statement could have led to a great deal of trouble because, in fact, Mr. Keating is a trained person. Curious to relate, Mr. Keating is a member of the Royal Chartered Society of Physiotherapists, but he has not a teacher's certificate.

If we are to proceed to the logical end, we would assume that every school in Australia has a person in charge who holds a teacher's certificate; but that is not so. At the moment I believe that, in Australia, there are—including Miss Hammond—only two or three persons holding a teacher's certificate. Therefore, there are other schools which have been organised in the same way as the school in Western Australia.

Mr. Baxter also stated that the previous director of the school, Mr. Lyall, left because of interference. However, I cannot remember Mr. Baxter referring to the person who had interfered. By his remarks we have been led to believe that it was interference by the board; but that was not so. It was interference by the parents of the scholars.

Hon. N. E. Baxter: What proof have you of that?

Hon. J. G. HISLOP: Read his letter.

Hon. N. E. Baxter: You read his letter on the file. It does not mention parents.

Hon. J. G. HISLOP: The true story surrounding Mr. Lyall's resignation was that this was not the first time that Mr. Lyall had resigned. He was a man of personality and he had resigned, for trivial reasons, on some two occasions before this letter was produced. Finally, this letter was the culmination of objections on the part of scholars' relatives against the length of time he was allowing the scholars for what is known as "swot back" prior to the holding of the examination. It was following that occasion that Mr. Lyall resigned.

When Miss Hammond returned from England she was accompanied by a Miss Ganne who came out under an assisted passage on condition that she stayed with the board for a certain period. When she came to this State she was given a temporary post at the Infectious Diseases Branch or at what is now known as the annexe. When the question of a permanent appointment was raised, Miss Ganne

refused to take the appointment unless Miss Hammond took charge of the school. Therefore, Miss Ganne was not even considered for the appointment because her demands were such that they could not be accepted by the board.

These two persons felt that they could control the activities of the Physiotherapists' Board. Later, when the board advertised the two positions—one of lecturer and one of departmental supervisor, practical—Miss Hammond applied for the post of lecturer, and Miss Ganne applied for the departmental supervisor's post. It was again quite clear that the same policy was in Miss Ganne's mind. However, the board did not appoint either of these two people because it felt—at least in the case of Miss Hammond—that she did not possess the administrative qualities which the board desired.

The stage has now been reached where Mr. Keating resigned because of the difficult position in which the board found itself, and the board has been forced into the position of appointing Mr. Cook for a month. In this regard Miss Hammond's activities have not been in the interests of the students nor in the interests of physiotherapy in this State. In my opinion she acted most unwisely; because had she accepted the position as it existed here, and as it existed in other schools, it would not have been long before she would have been in charge of the school. However, no board could submit to the activities of a disgruntled person who was acting in a manner not in the interests of either the students or physiotherapists generally.

I learnt, on fairly good authority, that Miss Hammond wrote to the Chartered Society again stating that Mr. Keating was an unqualified person. That was a very unwise statement, and a good deal of unpleasantness has been engendered by these personal activities, which have been conducted over a long period. It is curious to note that even this Chartered Society apparently did not realise, at the commencement of these activities, that Mr. Keating was a member of that organisation. Apparently its members did not look up their files or records to ascertain if he were a member of the Chartered Society.

Everything was going along quite nicely with this board until June, 1956, when the Chartered Society took away the reciprocity which physiotherapists in this State had been enjoying and which reciprocity the society has since restored. The reason the society has given for the restoration of reciprocity to physiotherapists in Western Australia is that it has received the names of medical lecturers who are giving lectures to the physiotherapy school. In my opinion, that is a very lame answer explaining why the reciprocity was withdrawn.

We are assured that the actions of Miss Hammond had nothing to do with the withdrawal of the reciprocity. However, it is curious that all this happened at the one time; and that in the middle of all the activity, the reciprocity for physiotherapists in this State is withdrawn; and then, on representations being made by members of the board, the reciprocity is restored purely on the reason that the Chartered Society knows the names of the medical men lecturing to physiotherapists in this State.

Hon. N. E. Baxter: When did that happen?

Hon. J. G. HISLOP: Only recently. Reciprocity was restored on that ground.

Hon. N. E. Baxter: Has that any bearing on the fact that Mr. Cook has now been appointed?

Hon. J. G. HISLOP: No bearing whatsoever.

Hon. N. E. Baxter: I think it has.

Hon. J. G. HISLOP: It has no bearing whatsoever. I think the hon. member is adopting the wrong attitude if he accepts disgruntled statements concerning a person who has rendered yeoman service to this State. There are four persons concerned, and they are now so divided that they form two completely separate camps. If the hon. member thinks that that is the right attitude to adopt towards a board which has shown such generous action, I think he is completely on the wrong track.

I now want to refer to what could have been a most ungenerous action on the part of Mr. Baxter—it was possibly an oversight—when he referred only to Mr. Lyall at the same time as he said it was necessary for members of the board to get themselves up to date. Mr. Lyall went to England for post-graduate work, but the benefit of that post-graduate work will not be of any use now to a school from which he has resigned. He is now in his own private practice.

However, two members of the board in the last two years have undertaken post-graduate work. One of them, Miss Seward, went to America to investigate some new and special methods in the treatment of physiotherapy. She was given a great welcome in places such as Honolulu, where important work was being carried out which Miss Seward went to study. I am not accusing Mr. Baxter for the statement that he has made, because the information was given to him; but it is the personal antagonism that I am referring to. The Physiotherapists' Board is a very good one, and it has performed excellent service. I will explain to the House later why I think so.

Let us look at this chartered society for a moment. It puts up a syllabus or curriculum. I have read the syllabus, and it is rather curious. In one section it gives

a list of terminology of medical diseases; and when I first read it, I wondered whether it had any place in the training of physiotherapists. When I looked at our own curriculum I decided there must be some essential difference.

Actually, this society conducts no training whatsoever. It is merely a registering body. It approves of the training given at certain institutions and also approves of the teacher-training given at some institutions. When the candidates have completed the course of training at an approved centre they become members of the chartered society. So the syllabuses may vary from school to school; and I made it my business to compare the one syllabus with the other. If anyone looks at our syllabus with a trained eye he will see that it is more advanced scientifically than the syllabus printed in the name of the chartered society. The chartered society simply indicates to the Ministry the persons who are to be recognised as physiotherapists after they have passed a course approved by the society.

The school in this State conducts the whole course and confers the registration. I have only one copy of the syllabus here; and if any members are interested in the depth and extent of the scientific training which the female students receive in this case, they are at liberty to read it. I am certain that at the end they will be amazed. Accustomed to establishing syllabuses many courses of study, I was struck by the depth of learning that the syllabus in question provides.

Mr. Baxter was on grounds foreign to him when he questioned whether zoology was necessary, and whether physiology should not be given in the first year. I am certain that if he had made it his business to find out why the board is acting as it does, he would have received every consideration, and would have been given a complete answer.

Let me first take into consideration the study of physiology. Candidates who know nothing of chemistry or physics cannot be taught physiology. Students must have some background from which they can be taught. In the first year they are taught chemistry, physics and zoology. After receiving that tuition, which is quite elementary they then have some idea of physiology. It is completely impracticable to teach physiology in the first year in the case of candidates who possess no knowledge of chemistry or physics.

I remember Mr. Baxter saying there should be training in these subjects, but its absence is not the fault of the board. The board cannot dictate to the schools except over a period of years when the schools begin to understand what is necessary. There are very few girls' schools which teach physics at all, though some of them teach chemistry. So the candidates in this State must be prepared to undergo

some training in chemistry and physics to enable them to undertake training in physiology.

In the teaching of zoology the students are given an insight into anatomy and physiology. I am sure that without zoology, both anatomy and physiology would be very difficult to follow. There are many subjects which are taught in the syllabus which are of no use afterwards in the main. They do have the essential basis of teaching, in that they teach the students to learn. I would say that after one has finished a course of University training, and possibly after one has attained the Physiotherapists' Board standard, all one has done is to learn.

When I qualified in medicine, I thought I knew a lot; but all I learned was how to learn. If a University student learns that much in a course of training, he will have learned a lot. Some of the elementary subjects in the syllabus of training are included for the purpose of training the student how to think and look ahead. Unless physics and chemistry are taught to the girls in the schools prior to their entering the course, it will be necessary to teach them those subjects in the physiotherapy course, and to teach them some zoology before entering the field of physiology.

I realise that my remarks do not fit in with the views of the person who assisted Mr. Baxter, because that individual has stated that there is no reason why there should be that number of medical men lecturing, on the board; and that a person who has undergone a teacher's course should be able to take on the complex courses like anatomy, zoology and so on.

One must realise that the work being done by this board was planned after a great deal of thought and care. It has not formed a syllabus out of thin air. There was a tremendous amount of thought given and a tremendous amount of culling of the curriculums of many universities and physiotherapy schools before this course was inaugurated.

The course will stand comparison with any other in the world; and the teachers will stand the same comparison, because they are picked from the real brains of the medical profession. If they are not able to teach the girls the subjects, we have not much hope for the future of our medical profession. I know these men and their standard of work. Some of them measure up to world standards. I shall not name them, because they would not like me to do so.

Hon. N. E. Baxter: You are referring to the lecturers?

Hon. J. G. HISLOP: Yes. Those are the people who are lecturing for the Physiotherapists' Board in this State. I trust that I have said sufficient to make members realise that the board has rendered a very grand service to this State. But it has done that under extreme difficulty

because one person, without care of consequences, has made all sorts of statements and has disturbed the minds of the people who are associated with the board. It speaks a lot when I point out that the board called applications for the position of lecturer, and it refused to appoint the person in question. The board consists of very capable and deep-thinking personnel.

I know that certain criticisms have been levelled against physiotherapy as a treatment of medical conditions. I realise that at times I myself have been somewhat critical. I know many people would like to see a closer liaison between the members of the profession treating the patients, and the physiotherapists carrying out the instructions. This could only take place in a clinic where the practising members of the medical profession and the physiotherapists can work together in unison. Unfortunately we have not reached the stage of population in this State where such a clinic can be established.

These things are coming as they are coming to other parts of the world. The only establishment I know of in Australia in which the doctor and the physiotherapist work in unison is in the establishment of Dr. May in Melbourne. It has grown into a large organisation, probably because of the man behind it. I believe the time will arrive when a close link between the medical profession and the physiotherapists will have to be formed. That would be to the good of the patient.

I have explained my views about this matter. The Bill looks quite harmless; but in reality it is designed by the person advising Mr. Baxter as a censure of the Physiotherapists' Board. I am not prepared to accept the views of a person who behaves in that manner. I do not mind criticism in the slightest; but activities which tend to disrupt the faith of the student and the functions of the physiotherapist, and to split them as they are in this State, are to be deplored. It should certainly not be accepted as a basis to censure the board which has rendered such excellent service.

When it comes to the second clause in the Bill we should stand up to the standard of the chartered society. All through Australia in recent times there has been an attempt to arrive at reciprocity between the States. That has been going on continually. It will not be long before reciprocity between all States will occur on the basis of an accepted curriculum for physiotherapists, and an accepted standard. The schools in Australia are not working so much for registration or reciprocity with the chartered society, as for reciprocity throughout Australia, and for a standard which is acceptable in the United Kingdom. If I had to choose which course I would like to see adopted in Australia, I would certainly pick the one we have in this State, rather than the one envisaged in the Bill.

Hon. H. L. Roche: You think we are further advanced here than in the United Kingdom?

Hon. J. G. HISLOP: Let me put it this way: For the basic training of physiotherapists, this course is much in advance. I think that in St. Thomas's, London, and one or two other centres where teacher courses are available, they are more advanced. I hope that within a few years we will adopt the same system. As yet we have not a big organisation. There are only 36 physiotherapists in training in this State, and post-graduate activities take time to organise. The basic training must be soundly implanted before it is possible for the students to undertake post-graduate courses. As I emphasised earlier, the course of tutor sisters in the nursing field has come about within my memory—in fact within the last 10 years or so; yet nursing has been going on in its present form for nearly a century.

These courses all crop up as the need arises. Before long there will be a need for teachers in Australia, and teacher classes will have to be formed, probably beginning in Sydney and Melbourne, to which graduates from this State will go and obtain teachers' certificates before they are eligible to teach or lecture within the schools of this State. We will not much longer rely upon the training received overseas.

That is happening throughout Australia in the scientific world. Our standards are becoming much higher, and our higher degrees can be accepted all over the world. At one time if one wanted to spend one's life as a physician, as I have done, it was necessary to go to London and obtain membership of the Royal College of Physicians, London. Nowadays we advise our students first of all to obtain membership of the Royal Australasian College of Physicians before going to England. The Royal College in London advises them to do this in order that they can be fitted into hospitals and tasks in keeping with what they want to do as a speciality later in life.

Even at this late stage I would ask Mr. Baxter to withdraw his Bill. He can still criticise me; I do not mind that in the slightest. I say this because what would happen under the first clause is what would virtually happen anyhow. What is in the second clause is something that we do not want. If the second clause were amended to read that the syllabus should be such and such, in order to hasten reciprocity throughout Australia, no one would mind. The Bill is designed by a person who feels that she has lost the battle but still desires to have some portion of the victory.

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

BILL—ACTS AMENDMENT (SUPERANNUATION AND PENSIONS).

Second Reading.

Debate resumed from the 6th November.

HON. L. A. LOGAN (Midland) [10.33]: I have endeavoured to give the Bill a certain amount of study, but there are one or two queries to which I would like the Chief Secretary to reply. Under the Act it is intended to have two scales—Scale A and Scale B—dealing with the salary of the employee and the number of units which can be secured according to the salary.

Scale B is somewhat restrictive, because a person who, up to the 1st of January, 1958, is on a salary range of £1,600 or just over, is able to take out a maximum of 26 units. But under Scale B, with a salary range of £1,690, he will be able to take out only a maximum of 22. So those persons who start to contribute after the 1st January, 1958, will be in the position that the number of units for which they can contribute will be reduced from 26 to 22. I do not know why that is necessary. Surely if a man on £1,600 a year is in a position to pay for the extra units he should be entitled to take them out. I cannot follow the second part of the clause which states—

having commenced contributing before that day in respect of any number of units elects to contribute after that day for an increase in that number of units, in which case Scale B applies only in respect of the increase in the number of units.

I have just pointed out that there is a reduction in the number of units in some cases and not an extension. I do not know to which this applies. The Chief Secretary might be able to tell me when he replies to the debate.

Then we find that the unit of pension from and including the first day of January, 1958, is the sum of £39 per annum for each unit, irrespective of the number of units of the pension and irrespective of any supplementation payable under the Act, if the payment of the pension commenced before that day. On that basis he would be receiving 15s. per unit of pension plus 5s. per unit for supplementation which would make £1 per unit. A person who had taken out four units would be receiving £4 per week in pension. Paragraph (b) of proposed new Subsection (1) of Section 58 states the the unit of pension—

is the sum of £45 10s. per annum for each unit, irrespective of the number of units of the pension, if payment of the pension commences after that day.

So if the pensioner takes his pension after that day he receives 17s. 6d. per unit and no supplementation. He, therefore, suffers a reduction of 2s. 6d. a unit. A person on four units, who commences his pension before the 1st January, 1958, gets £1 a unit, but the fellow who starts on a pension after the 1st January, 1958, goes down to 17s. 6d. a unit. I do not know why that is.

It might be as well to point out that the Minister talks about a contributor yet the Bill deals with the person taking out a pension. There is a difference between the two. I can point to the position of a member of the staff of Parliament House who desired to retire at 60 years of age, and he has paid, to my knowledge, his superannuation contributions, but he has not knocked off work and started on a pension. If he were to retire before the 1st January, 1958, he would be paid £4 a week, but if on the 2nd January, 1958, he would come down to £3 10s. a week. I want the Chief Secretary to check that statement and tell me if it is correct. If it is, there is something wrong, because I do not think the Government intended that. The Chief Secretary mentioned the contributor, whereas the Bill deals with the starting of the pension.

The other point at issue deals with the payment to the widow. The widow of a contributor who dies before his retirement from Government service will receive half the pension for which he contributed, plus £1 a week for each child under 16 years of age. The widow of a pensioner, where the pensioner was drawing the pension prior to the 31st December, 1957, will receive half the pension, at 15s. per unit, plus 10s. of the £1 per week supplementation.

At the moment that pension is 12s. 6d. per unit, so it has been increased from 12s. 6d. to 15s. The widow, therefore, will get 7s. 6d. a week plus half the supplementation which is 2s. 6d. for each unit, so with the 7s. 6d. plus the 2s. 6d., she will get 10s. per unit.

Where the pension comes into operation after the 31st December of this year, the widow will receive one-half of the pension at the new unit rate of 17s. 6d., but no supplementation payment will be made in addition. Prior to the end of this year the widow would receive 10s. per unit, but after the 1st January, 1958, she goes down to 8s. 9d.

Hon. A. F. Griffith: The widow's pension does not apply to the 1871 Act.

Hon. L. A. LOGAN: No, because the supplementation is presumably absorbed in the increased pension rates.

Hon. A. F. Griffith: The pension dies with the 1871 pensioner.

Hon. L. A. LOGAN: They are the ones that the Government, in its wisdom, endeavoured to bring up somewhere near the basic cost of living today. The Government pointed out that it did not bring them right up to today's standard, but only somewhere near it. I do not know why it decided to do it that way, but I suppose it had its reasons.

I just wanted to point out that the widows would be receiving 1s. 3d. a unit less after the 1st January 1958 than before; and that the pensioner himself would be reduced from £4, on four units, to £3 10s. which is a retrograde step. I also wanted to draw attention to the fact that Scale B is supposed to apply to an increase in the number of units, yet there is a decrease in the number of units that can be taken out at the higher salary rates.

It has been stated that under the Nicholas formula relating to the 1871 Act, some persons would receive less than they are receiving today. The Bill definitely sets out the formula $((a-b) \times 52) - c + d = x$ in which x equals an amount not exceeding £1,000. So, any pensioner who today is receiving a pension of more than £1,000 must, according to the Bill, come back to £1,000. I say that pensioners who have been receiving a pension in excess of £1,000 are still entitled to receive it and I do not think they should be reduced.

It would have been quite in keeping if the Chief Secretary had given us some examples of how his formula applied, because it takes a little working out. I have worked out the position of one person according to the formula which is described in the Bill. This person retired on a pension of £885 on the 11th October, 1950. According to the formula, and working on a basic wage of £7 15s. as applying at the date of his retirement, he will receive an increase of £39 in pension. I have been told that the basic wage on the particular day that he retired was £7 7s. per week. On that basis he would get an increase of £59 16s.

So it all depends on the amount of the basic wage at the date of retirement; that can affect the decrease or increase under this formula. I think it would be advisable for the Chief Secretary to give us some further examples of how this legislation will apply, because it is not easy for us to find out when a person retires. We have most of the names in a book, and the amount of pension these people are receiving; but we are not told the dates on which they retired; and, under those circumstances, we cannot find out just what the basic wage was at that time. Consequently we cannot see what effect this legislation will have. I ask the Chief Secretary to give us these examples because, when he introduced the Bill he said—

Consequently, there would be no justification for giving them any special or additional consideration. Their

pensions will be adjusted in accordance with the principles of this formula. They will receive a rate of pension which will be fair and reasonable under the circumstances. Some who have been receiving both that high rate of pension and the £1 a week supplementation, could receive less under the proposals in the Bill than they receive today. This is because they have been receiving more than they were really entitled to.

I want to know why they have been receiving more than they are entitled to. I cannot work that out. If these people are being paid under an Act of Parliament they are justly entitled to that payment. So I would like the Chief Secretary to give us some examples, and if he can answer my queries I will support the second reading.

On motion by the Chief Secretary, debate adjourned.

BILL—ELECTORAL ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the 5th November.

HON. A. F. GRIFFITH (Suburban) [10.48]: When introducing the Bill the Chief Secretary said that the Government's intention was to endeavour to include similar provisions in our Act to those which are now in the Commonwealth Act to bring it more into conformity and to improve the co-operation between the States in regard to voting. I think the Chief Secretary was drawing a long bow when he suggested that this Bill would bring about closer co-operation between the States as regards voting; nevertheless, the Bill in its present form seeks to make a radical change in the State law on postal voting.

As we all know, under the State Electoral Act, postal votes are taken by postal vote officers who are duly appointed by the Electoral Department for carrying out the express duty of taking votes from people who qualify under the Act to lodge postal votes. If this Bill becomes law the postal vote system in this State will be similar to that which applies under the Federal law. It is not with a lot of enthusiasm that I say to the Chief Secretary that, provided the Government really desires to see some change made in the State law which will have the effect of bringing our Electoral Act really into conformity with the Federal Act, I am prepared to support the second reading of the Bill; I want to see whether the desire is a genuine one.

When one has a look at the Bill one can observe in the early stages that some provisions at present in the Electoral Act will be altered by this measure. If the Bill reaches the Committee stage some explanation can be given of those aspects.

One of the important provisions in the Bill will provide for a permanent postal vote roll. This will enable people who live in the remote areas, which are to be defined by regulation, to make application to the Chief Electoral Officer to be placed on the permanent list of postal voters. It appears that this provision could have some merit, although there is no similar section in the Federal Act. We all know the difficulties associated with the North-West. Because of the long distances involved, and very often a lack of transport, the people in that area have considerable trouble in travelling from place to place. So perhaps there is merit in making it as easy as is practicable for those people to exercise their votes.

But the provision in the Bill which enables the Minister ad lib to declare remote areas, just as he thinks fit, is one that does not meet with my enthusiastic approval. If the term "remote areas" is limited and clearly defined it will improve the lot of the people who live in such places; but I do not agree to the way it is worded in the Bill. I have handed to the Clerks a number of amendments which I think will improve this measure.

I will agree that the Bill as now printed will improve the position in respect to voting outside the State. Under the Electoral Act as it stands a person who moves outside Western Australia at election time is unable to vote; he must vote before he leaves the State. But this Bill seeks to add conditions by which people can vote by post, not only throughout Western Australia but also throughout the Commonwealth. That is a decided improvement. So much so, that I think we ought to go one step further and encourage people who go overseas to vote; and I believe they should be given the same rights as those who travel to the Eastern States. I see no reason why those who go overseas should not have the same right to record a vote as those who travel to the far northern tip of Queensland.

If the House agrees to pass the second reading—I think the Bill is essentially a Committee one—the different clauses can be discussed in detail at the committee stage. I think the amendments I have on the notice paper will bring the Bill more into conformity with the Commonwealth electoral law. For the time being I am prepared to support the second reading to allow the Bill to enter the Committee stage in the hope that the Government will feel co-operative in respect to my amendments, because I am sure that if they are agreed to the legislation will become more acceptable to all concerned, and more in keeping with the conditions prevailing in this State.

On motion by Hon. A. R. Jones, debate adjourned.

House adjourned at 10.57 p.m.