

Legislative Council

Friday, 14th December, 1951.

CONTENTS.

	Page
Bills: Electoral Act Amendment, (No. 2) 2r., remaining stages	1647
Assembly's message	1666
Rents and Tenancies Emergency Provisions, Assembly's message	1649, 1693
Assembly's request for conference.....	1700
Conference managers' report	1702
Assembly's further message	1703
Workers' Compensation Act Amendment, 1r., 2r.	1649
2r. (resumed,) Com.	1666
Com. (resumed) (dissent from Chairman's ruling), recom.	1688
Further recom., reports	1688
3r.	1696
Assembly's message	1697
Assembly's request for conference	1701
Conference managers' report	1702
Assembly's further message	1703
Road Closure, 1r.	1650
2r., remaining stages	1689
Reserves, 1r.	1650
2r., remaining stages	1689
Licensing Act Amendment (No. 2), 2r., remaining stages	1650
Assembly's message	1688
Traffic Act Amendment, Assembly's message	1666, 1696
Loan, £12,535,000, 1r.	1666
2r., Com., report	1689
As to presentation of Bill	1690
Ministerial statement	1693
3r., passed	1701
Licensing Act Amendment (No. 1), 1r.	1666
2r., remaining stages	1697
Town Planning and Development Act Amendment, 2r., amendment "three"	
months (defeated)	1677
Points of order	1678
Referred to Select Committee	1683
Select Committee appointed	1683
War Service Land Settlement Agreement, Assembly's message	1683
Assembly's further message	1696
Appropriation, all stages	1703
Discharge of orders	1697
Complimentary remarks	1704
Adjournment, special	1706

The PRESIDENT took the Chair at 3.30 p.m., and read prayers.

BILL—ELECTORAL ACT AMENDMENT (No. 2).

Second Reading.

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

Question put and passed.

Bill read a second time.

In Committee.

Hon. A. L. Loton in the Chair; the Minister for Transport in charge of the Bill.

Clauses 1 to 20—agreed to.

Clause 21—Section 174 amended:

Hon. H. K. WATSON: I move an amendment—

That in line 2 after the word "amended" the following words be inserted—by substituting for the words 'five hundred pounds' in lines 4 and 5, the words 'one thousand pounds' and".

The Bill provides for an increase to £250 from £100 in the event of a contest for the Legislative Assembly, and I feel that, in the same way as Assembly expenses have been increased by 150 per cent., so the expenses in connection with a Legislative Council contest could be increased by at least 100 per cent. A lot can be said for the view expressed by a member in another place that this section limiting electoral expenses could well be eliminated, because it is an expensive business to fight an election, and it is extremely difficult for candidates to keep within anywhere near the amounts allowed.

Hon. G. FRASER: I must oppose this amendment because I think £500 is a reasonable amount to spend on an election campaign.

Hon. R. M. Forrest: It all depends where it is.

Hon. G. FRASER: To increase the electoral expenses to £1,000 is like buying a seat and it would be a sorry day for the State if we had to buy seats in Parliament. I know costs have risen considerably in recent years, but after all £500 is a reasonable sum for election expenses.

Hon. H. K. WATSON: The existing allowance for election expenses for the Legislative Council was placed in the Act at a time when that figure represented approximately one year's salary for a member of the Council. A moment's reflection will show that my proposal keeps that ratio today the same as it was 10 or 20 years ago.

Hon. H. C. STRICKLAND: I oppose the amendment. The sum of £500 should cover all the requirements of a candidate for election expenses. I have a big province and I found it was expensive during my campaign; but when I put in the return, and stated the expenses for each item, I found that it did not look so bad. I think the present allowance covers the position quite well.

Hon. H. L. ROCHE: It seems to me that the members opposed to this proposition are not particularly well acquainted with the position in a number of country provinces. The sum of £500 is all right in a pocket borough that covers about three Assembly seats, but a province that covers five or six Assembly seats in the country, with probably nine or ten thousand electors, is a different proposition altogether, and the provision of £1,000 for expenses is necessary in a hard-fought election. If it is good enough to

increase the electoral expenses for another place from £100 to £250, surely the increase from £500 to £1,000 for electoral expenses for Legislative Council members is justified. I ask the Committee to view it from that angle. I should have thought the North Province could be difficult to deal with but, on the other hand, the number of electors is so small as to be a compensating factor. Under present-day conditions and costs it would be difficult for any candidate to keep within the existing limit for election expenses, and we do not want a law that cannot be applied, because that would be a bad law. I support the amendment.

Hon. H. HEARN: I hope the Committee will agree to the amendment. I cannot quite understand the reasoning of Mr. Fraser. If £500 was sufficient in 1939, then, according to all reasoning and according to the adjustment of salaries of members of this Chamber, £1,000 would have the same purchasing power today as £500 had in 1939. I think the views of individual members may be coloured by their particular provinces. When one does a thorough campaign in the Metropolitan Province, one finds that the allowance of £500 for election costs is inadequate. We should keep to the same ratio as we had in 1939.

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

Ayes	....	....	....	....	14
Noes	....	....	....	....	10
Majority for					4

Ayes.

Hon. N. E. Baxter	Hon. H. S. W. Parker
Hon. J. A. Dimmitt	Hon. H. L. Roche
Hon. R. M. Forrest	Hon. C. H. Simpson
Hon. Sir Frank Gibson	Hon. J. McI. Thomson
Hon. C. H. Henning	Hon. H. K. Watson
Hon. J. G. Histop	Hon. F. R. Welsh
Hon. J. Murray	Hon. H. Hearn

(Teller.)

Noes.

Hon. G. Bennetts	Hon. W. R. Hall
Hon. R. J. Boylen	Hon. E. M. Heenan
Hon. J. Cunningham	Hon. A. R. Jones
Hon. E. M. Davies	Hon. L. A. Logan
Hon. G. Fraser	Hon. H. C. Strickland

(Teller.)

Amendment thus passed; the clause, as amended, agreed to.

Title—agreed to.

Bill reported with an amendment.

Recommittal.

On motion by the Minister for Transport, Bill recommitted for the further consideration of Clauses 9 and 18.

In Committee.

Hon. A. L. Loton in the Chair; the Minister for Transport in charge of the Bill.

Clause 9—Section 92 amended:

The MINISTER FOR TRANSPORT: I omitted to notice that I had amendments on the notice paper dealing with Clauses 9 and 18. I move an amendment—

That in line 3 of paragraph (e) of proposed new Subsection (6), after the word "shall" the words "fasten and" be inserted.

Amendment put and passed.

The MINISTER FOR TRANSPORT: I move an amendment—

That all the words after the word "contents" in line 2 of paragraph (f) of proposed new Subsection (6) be struck out, and the following words inserted in lieu:

by post or otherwise, addressed to the returning officer of the province or district in which the elector claims to be entitled to vote, or to a presiding officer at any polling place within that province or district if the postal vote officer is satisfied that the vote taken by him cannot in the ordinary course of post reach the returning officer before the close of the poll.

The clause states that the postal vote officer shall send the third envelope and its contents to the Chief Electoral Officer. The amendment will amplify the wording but will mean substantially the same thing, though instead of the third envelope being sent to the Chief Electoral Officer, it will be sent to the returning officer in the province in which the elector claims to be entitled to vote.

Hon. G. FRASER: I do not oppose the amendment, but I take the opportunity to ask the Minister whether he will get the department to consider before next session making it possible for a postal vote to be handed in at any polling booth on election day. At every election, there are persons in my province who have a vote for the Suburban or Metropolitan Province, but there is no way of getting that postal vote to the province in time. If it could be handed in at any polling place, that would simplify the procedure and save much inconvenience.

The Minister for Transport: You want to make it the same as the Commonwealth practice.

Hon. G. FRASER: Yes, exactly the same. There is one other point to which consideration might be given and that is the question of ballot papers not initialled by the poll clerk. This has become a rather frequent happening in recent years, and it is not fair that people who have gone to a booth and voted should, for this reason, have their votes invalidated. Generally, the number has not been sufficient to make any difference to the result, but some day these votes might lead to an election being won or lost.

The Minister for Transport: What is the exact point you are making?

Hon. G. FRASER: I appreciate the danger of accepting a ballot paper that has not been initialled.

The Minister for Transport: If the officials did their job properly, that would not happen.

Hon. G. FRASER: Quite so, but why penalise the elector or the candidate because of the laxity of some individual in the polling booth? Other than some alteration on the lines of accepting an uninitialled ballot paper, I do not know how the difficulty could be overcome, but some way might be found. The matter is worthy of consideration because in recent years quite a number of votes have been rejected on this account.

The Minister for Transport: I shall mention those points to the Minister.

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

Clause 18—Section 142A, amended:

The MINISTER FOR TRANSPORT: I move an amendment—

That the dash and letter "a" in brackets, thus "(a)", be struck out. This is simply a typographical correction.

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

Bill again reported with further amendments and the reports adopted.

Third Reading.

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

BILL—RENTS AND TENANCIES EMERGENCY PROVISIONS.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to amendments Nos. 1 to 21, 24 to 28, 32 and 33 made by the Council, had disagreed to amendments Nos. 22, 23, 29, 30, 35 and 36, and had agreed to amendments Nos. 31 and 34, subject to further amendments.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

First Reading.

Received from the Assembly and read a first time.

Second Reading.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [4.12] in moving the second reading said: The main purpose of the Bill is to increase the benefits prescribed in the principal Act to a scale more in keeping with present-day money values while, at the same time, endeavouring to maintain an equity of benefit rate proportionate to the resources of the State and those in operation elsewhere in the Commonwealth. I am informed that the rates proposed in the Bill are similar to those paid in the other States.

Sitting suspended from 4.13 to 4.33 p.m.

The MINISTER FOR TRANSPORT: The first main amendment is a proposal to include in the Act a definition of the term "specialist" as it applies to the medical profession. The Bill suggests that a specialist shall be one who has made a special study of some particular branch of medicine and who is recognised by the Medical Board of this State as practising such particular branch in a major degree. The Act provides that special fees shall be paid to specialists treating compensable workers. Difficulty has arisen at times inasmuch as it has not been possible to recognise whether a practitioner is or is not a specialist. To overcome this obstacle, it is proposed that the Medical Board shall distinguish the specialist. The board should be able to provide this information as it is composed principally of doctors and includes representatives of the British Medical Association.

Reduced money values are the reason why the Bill seeks to extend the definition of "worker" in the Act to one who earns a maximum of £1,250 annually as against the present limit of £750. The Government again seeks to obtain the approval of the House to cover, under the Act, workers while en route to work or to home from work. This is a provision which in the past has proved unacceptable to this Chamber, but is again submitted with a plea for favourable consideration, the Government believing that it is well warranted. It is a *sine qua non* that any injury suffered during these journeys must not have been by the worker's own neglect or wilful act, or after the worker has interrupted his journey for a reason not connected with his employment, and these provisos are included in the Bill.

One of the most difficult decisions to reach at present on the payment of compensation is in connection with hernia trouble. I am advised that unless such an injury is examined soon after its occurrence, it is almost impossible to decide whether it had arisen out of a particular accident. As the onus is placed on the worker to establish his claim, this has proved of considerable disadvantage to the individual concerned, as it has happened that the medical examination has not been made immediately after the trouble was felt, with the result that the worker has not been able to establish that the hernia actually occurred when it did. To rectify this situation the Bill provides that an injured person shall obtain medical advice within 72 hours of an accident, unless good reason exists why he cannot and the reason is acceptable to the Workers' Compensation Board.

At present, the Workers' Compensation Board set up under the Act is limited to annual expense totalling £8,000. The rising tide of costs has prompted the pro-

posal in the Bill that authority to exceed this amount may be provided from time to time by regulation. As to the proposal to increase the benefits payable under the Act, the amount permitted at present for death is £1,000, plus £25 for each dependent child. This amount has been increased to £1,500 for the dependant, with £50 for each dependent child. There is a provision now for a dependent wife, parent or adult standing in the place of a parent to receive £1 per week and that has been increased to £1 10s. The maximum amount of compensation that may be payable on a weekly basis at present is £6 per week. This has been increased to £8.

Funeral expenses allowed under the Act have been increased from £30 to £40, and the out-of-pocket expenses paid to an injured worker who has to travel to hospital for treatment, have been increased from 10s. per day, with a maximum of £3 per week, to 13s. per day, with a weekly limit of £4. The amount payable for medical and hospital expenses has been increased from £100 to £150, plus an extra £50 at the discretion of the board.

The Bill seeks to delete a provision in the Act that is improper, namely, that the Workers' Compensation Board may advise either party on a claim in any matter. It is not desirable that members of the board should be asked to advise on a matter on which later they will have to sit in judgment. The Bill proposes that in future any advice shall be given by the registrar, who is the executive officer of the board. The last amendment deals with benefits payable under the Act. These have been increased by 40 per cent. For instance, where £1,250 is at present payable, the Bill provides for £1,750. As I have said, these increases will put the rates in this State on a par with those paid in the other States of the Commonwealth. I move—

That the Bill now be read a second time.

On motion by Hon. H. Hearn, debate adjourned till a later stage of the sitting.

BILLS (2)—FIRST READING.

- 1, Road Closure.
- 2, Reserves.

Received from the Assembly.

BILL—LICENSING ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the previous day.

HON. J. G. HISLOP (Metropolitan) [4.40]: There is a certain difference of opinion amongst members on the Bill, because last evening I was asked by one not to make a long speech on it, and another said, "We expect you to deal with this

Bill at great length." Naturally, that reflects also the various opinions held by people at large on the alteration of our licensing laws. One holding any idealistic view regarding the consumption and sale of alcohol would suffer a sense of disappointment about the Bill, but it must be looked upon as a genuine attempt to legalise some of the practices that have grown up in the State. The Bill is probably paving the way towards the major amending of the Act next year. Therefore, I do not intend to speak at great length.

There are one or two provisions in the measure that might be questioned, but on the whole I think that what has been provided for will tend, in a large measure, to make the policing of the Act much easier. There is only one matter about which I would protest, and that is the inclusion of the provision dealing with the sale of drink during set meal hours at hotels. There is no need to mention that the hours shall be between 1 p.m. and 2 p.m., and 6 p.m. and 7.30 p.m., because the meal hours of licensed houses must be approved by the Licensing Court. If we simply allow the sale of liquor during meal hours, as the conditions in our State alter we could revert to the conditions that operated in the past when one could go to a hotel at some time different from the fixed meal hour and treat a dinner at a hotel as the spending of an evening amongst friends.

Admittedly, the Bill only fixes the hours on Sunday evening, but it is an indication of what is in the minds of those who have drawn up the Bill. It would be quite simple to amend it to give the right to a licensee to sell alcohol to people who have a meal on his premises. The meal hours are already fixed by the Licensing Court, as I have said, and it smacks somewhat of civilised savagery when we reach the position where one can say, "You are to eat between such-and-such hours," and beyond those hours one is to have difficulty in getting any meals. I trust that before long, when staff problems become easier, we shall return to longer meal hours in better-class hotels.

I would therefore suggest that the provisions laying down the meal hours should be left out and the court be asked to decide them. It is a dreadful business to sit in a hotel these days in the Eastern States, when all at once someone says, "The bell has gone; the time is up", and removes the glass from the table. One is left with a feeling that because one has not consumed that drink before the closing hour, one has committed a great sin. The restricted hours provided in the Bill will bring about similar conditions in this State and the same applies to the restriction of trading hours on a Sunday. However, we have not reached the stage, as a nation, where we can lay down certain hours for the consumption of liquor, because we have not yet learned how to drink.

I can remember occasions when I was a small child, and even in later years, when my father took the family to Menzies Hotel. They were always regarded by us as fete days. We went there about 8 o'clock and listened to the orchestra. The whole of the big diningroom had an air of festivity and we were allowed to remain there until 10 or 10.30 p.m. when the evening had to be regarded as concluded. That was a civilised method of eating and drinking. The idea that one must get through a meal and consume the drink required in the shortest time available is out of all reason and indicates a very serious state of affairs.

There are all sorts of amendments that could be suggested to the Bill. One I would like to see would apply to altered conditions affecting eating-houses, which now are included with lodging-houses and boarding-houses as well. At present the law allows a licensee of such premises to go to the nearest hotel and order liquor that he can take back to his clients to consume in his eating-house. Members will probably recollect the old Moana cafe in Hay-st. where liquor could be obtained under those conditions. That was the type of licensed eating-houses to which I refer.

I believe that if we had established eating-houses that could produce the standard of meal in premises provided with the requisite sanitary and other requirements that would meet with the demands of the Commissioner of Health and those premises could be conducted in a manner that the Commissioner of Police would approve, those eating-houses should be allowed to serve light beer and Australian wines with meals. I believe such a position would completely alter the situation we find in our hotels today.

Another provision that would improve the existing position is in connection with gallon licenses. I think that method should be more generously dealt with regarding the quantity to be purchased but I would not allow the holder of a gallon license to sell bottles over the counter. The absence of some liberalised condition in that respect is such as to make people buy bottle supplies in greater quantities than they need. It is a sad reflection upon present-day arrangements that we can see so many broken bottles lying about the streets where they have been discarded after their contents have been consumed. If it were possible for an individual to have delivered to his home the quantity of liquor he required, there would be less purchasing of bottles at hotels.

Then again, I would like to see a clause included in the Bill imposing much more extreme restrictions upon licensees to ensure that no man was served with liquor at a hotel if he was intoxicated. While there may be the requisite provision in the Act, the fact is that it is not policed. Such a law should be strictly enforced. The

other night I saw a man who was obviously quite intoxicated lying in the shop entrance adjacent to a hotel. It was a sorry sight to see in this city. Then again one often sees individuals who have already had more than sufficient drink leaving hotels carrying bottles with them so that they could continue drinking elsewhere. These are phases that should be controlled.

I would also like, should a licensing Bill be brought down to cover the whole situation, provision made to deal more adequately with the residential side of hotel-keeping as against the bar trade. I would like to see included a provision that a certain proportion—perhaps not a large proportion—of the rooms should have private bathrooms and lavatories attached for the exclusive use of the persons occupying the rooms. That would evolve a higher standard of hotels in our midst. It is the only type of hotel that will appeal to tourists who visit the city.

The days of the single room and the necessity for the occupant to proceed down the long corridor to the common bathroom belong to a past age. I hope that one day legislation will be introduced that will include such a provision. In fact, I believe it will not be long before public demand will require hotel accommodation of that type. In addition, I am a keen advocate of alcoholic drink being consumed only while a person is sitting. I have already discussed that question with people interested in the trade and they assure me that whether or not such a provision is embodied in legislation, the day is fast approaching—already the cry for more lounges is increasingly insistent—when public demand will necessitate that phase receiving attention.

There is only one clause in the Bill that I do not like. I refer to the one dealing with Sunday trading. While the object is to legalise a practice that already exists, I have a feeling that the proposal is not warranted. I certainly live in the metropolitan area where conditions are different from those applying in the country districts and where Sunday is usually regarded as the day when one meets one's friends. I trust, therefore, that my friends who reside in localities outside the metropolitan area will forgive me if I vote against that clause. I am afraid such a provision might introduce a state of affairs that might grow to an extent for which we are not ready.

I would like to be able to say that we had reached the stage where our conduct as a people was such that we could decree that licensed premises could remain open as long as they liked and the people could consume alcohol as they pleased. I have been in other parts of the world where at any hour of the day or night up to 2 a.m. I could get alcoholic drink before going to bed.

Hon. H. L. Roche: And you did not see any drunken people in the streets.

Hon. J. G. HISLOP: I did not see a man carrying away a bottle of beer in his hand.

Hon. R. M. Forrest: You can see them here.

Hon. J. G. HISLOP: Yes, and I had to do it myself the other day. I wanted some beer and when I bought some bottles in the hotel I was told that owing to the increased cost they could not provide me with a paper container. I had to go out with four bottles of beer in my hands and I confess that when I got on the footpath I looked round to see if anyone was observing. That is the stage we have reached. I intend to vote for the second reading for I regard the Bill as a sign that we are on the road to learn how to consume alcohol.

HON. H. L. ROCHE (South) [4.53]: I support the second reading. To some extent we can regard the Bill as experimental legislation. The Minister can be congratulated on at long last making an effort to tackle the problem that confronts us in respect of liquor legislation in Western Australia. It is a type of legislation that has been severely left alone by Governments and all parties for years. It deals with a subject that is such that whatever one does it is bound to be wrong. No one seemed desirous of accepting responsibility for dealing with legislation some portions of which sections of the public are certain not to agree with.

I hope that within measurable time we will see legislation that will represent a complete overhaul of the liquor trade in all its aspects, so that we can approach the subject and deal with it from the point of manufacture right through the various processes until it reaches ultimately the consumer. I am not at all satisfied that the liquor trade in this State is developing on lines that are in the best interests of the public, particularly the section that regards liquor, if not as an essential, at least as one of the necessary adjuncts of our social system.

It seems to me that already there is a fairly well-developed monopoly in the manufacture of beer and in the control of the liquor trade. That has been manifested in some of the more restrictive practices that I understand have been applied in connection with the trade and with some of the controls exercised, including some unsatisfactory features in the ultimate distribution of liquor to the public. To some extent this has created a position suggesting the flinging of swill into troughs for the animals to drink. I believe that within measurable time it will be in the best interests of the community generally and of the liquor trade as well for Parliament to have an opportunity to review the whole of the liquor legislation.

Dealing with the Bill itself, while I realise that certain interests were consulted and undoubtedly contributed their share towards the drawing up of the measure, I doubt very much whether conditions in the country were appreciated quite as one might hope. For my part, I would prefer the existing bona fide traveller provisions to the extension of Sunday trading hours. I find myself—it is not often that it happens—almost in complete agreement with Mr. Craig in his attitude towards Sunday trading. I have in mind that the proposed alteration in that respect will develop along lines that I feel neither Parliament nor the public would desire.

Particularly do I think it questionable whether the hours set out for Sunday trading will be suitable. I am certain that the only people who will avail themselves of the midday on Sunday, in the larger country towns such as Bunbury, Albany and Northam, will be the towns people. We might just as well open the hotels in Hay-st. for the residents of Perth. I do not think that provision matters one iota to country people who it is suggested will require refreshments when they come to the city. The fact is that if they come here, country people will not be in town at midday on Sundays. I am doubtful as to the wisdom of the hours to be allowed for trade on Sunday afternoon.

Unless the position is carefully watched and controlled within the limits of the legislation, I am afraid it will lead to abuses. As Mr. Strickland indicated, we might have experiences similar to those apparent in other States. The situation might develop along very unsatisfactory lines indeed. I gave some consideration to framing an amendment to delete the permission for Sunday trading, but I found that it was very involved. However, this is experimental legislation and it may be that within the next 12 months we will have an opportunity to review the whole situation.

I should think that one of the major considerations in the minds of those who designed this legislation was to try to eliminate the drinking that takes place just outside the 20-mile limit around the metropolitan area. In their anxiety to achieve control or elimination, they were inclined to disregard, if they knew or appreciated them fully, the conditions further afield. I do not believe that lifting this limit from 20 to 50 miles will overcome the problem. I believe that we have merely substituted a place like Pinjarra for Rockingham and places like Toodyay, Northam and York for a place like Sawyer's Valley. I may be wrong. It may reduce the number of people indulging in drinking, but I do not think it will deal with the problem sufficiently adequately for us to say that it has been brought under control.

If we consider that Sunday drinking is to be permitted, it seems to me that the only way is to extend to the metropolitan area the provisions now applying to the country. I am not in favour of extending the provisions for Sunday trading, although I do not want anyone to gain the impression that I am opposed to drinking in any form. I suppose I have had my share, and I hope I shall have a drop more before my time is up. But I believe there is a time and place for it, and from what we see of much of the drinking indulged in today, it is being done neither at the proper time nor at the proper place. I do not think that much regard has been paid to the position in which the majority of country publicans find themselves. They are now faced with the necessity of Sunday trading.

Hon. N. E. Baxter: Why the necessity?

Hon. H. L. ROCHE: It is reputedly optional; but I will deal with that in a moment. Many of these publicans work their bars, if not single-handed, with the assistance of only one barman or barmaid, and they work six days a week. They have no hope of obtaining staff for Sunday trading. It means that the publican himself will now be condemned to work for anything up to an 80 or 90-hour week in order to supply liquor to people who work only a 40-hour week.

Another problem is posed and that is with regard to the diningroom staff. The publican will be faced with the position that people who have been drinking in the bar until 6 o'clock will decide to stay and have meals at the hotel from 6 p.m. to 7 p.m. In a sense, these places should be prepared to provide meals for people. But this is going to be additional; and all these places are suffering considerably from shortage of staff and an absolute inability to secure adequate house or diningroom staff. The problem of the country hotel proprietor will be accentuated by the passage of this legislation.

Although Sunday trading is to be optional, to those who know and appreciate the conditions, that does not mean a thing. If a hotel is the only licensed house in a town the optional provision will assist the licensee. But that would not be the case where there are other hotels. I think the Bill would have been better without the provision for Sunday trading because at present the licensee has a better chance to deal with clients and tell them that he does not intend to break the law.

Under this legislation we will make it legal for a publican to open his hotel, and the man who does not do so will undoubtedly lose trade, because the individual down the street will open his premises. The first man will not only lose Sunday trade but week-day trade as well, because many men who go down the street to drink on the Sunday will do so for the rest of the week. It is inevitable, in those circum-

stances, that all these country hotels will have to open and provide for their customers as best they can on Sundays.

One of the most satisfactory and much-needed reforms which the Bill provides is the prohibition of drinking within a certain distance of dance halls and places of entertainment. Particularly is that so with regard to country areas. During the war, a regulation was promulgated under the wartime emergency powers which restricted that sort of abuse considerably. Since the lifting of those regulations, the position has deteriorated to a terrific degree. One is almost an outsider if one does not take a dozen or so bottles of beer to a place of entertainment. Certainly it is not always consumed on the premises, but round about the place.

Unfortunately, the Bill does not provide for smaller buildings removed from town-sites. In the country districts there are small halls on reserves. Many of them are old school buildings but are not used as schools now owing to the extension of bus services. Dances and other entertainments are occasionally held in those buildings which are, however, not within town-sites. Consequently they are not covered by this Bill. I have circulated an amendment which I hope to move at a later stage to provide for similar control over those places as will be exercised over places of entertainment in townsites.

This lack of control has led to considerable abuse. It has got to such a stage in some centres that some of the less desirable elements buy beer by the dozen bottles or by the case or the cask and take it to places of entertainment. While their behaviour may be only on the borderline of the disorderly, they conduct themselves in such a way as to be a nuisance to other people who go there to enjoy themselves. Under the Bill as framed, those places could not be controlled. The purpose of my amendment is to try to provide that they shall be brought within the scope of the Bill.

I notice that there is an attempt in the Bill to place some restriction on betting on licensed premises. I hope it will have some effect. I think it might do so if an effort were made to police the provision. I also express the hope that it will be the forerunner of legislation in the not too distant future to deal more comprehensively with betting that takes place.

Not particularly in that regard alone, but in regard to the general conduct of hotels, I find it somewhat difficult to appreciate that the Licensing Board is not able to exercise considerably more supervision. If it requires its hands strengthened by legislation, I think Parliament should be advised. But I do not think any amount of legislation will correct the position that has arisen in some places and the absolute indifference to the public generally shown by some of these people who should be catering for their needs. It is

not always their own fault. Financial or other conditions imposed on them may be having an unfortunate effect. But it seems to me legislation alone will not correct the position unless that legislation is adequately supervised and policed.

HON. J. M. A. CUNNINGHAM (South-East) [5.13]: Much has been said on the Bill about the difference between conditions applying in the Goldfields and other country centres and the metropolitan area. I deplore that. I do not like to see the licensing of any form of public entertainment being made a matter of geography, as this is. Under the Bill it depends on which part of the State one resides in as to whether one is breaking the law or not in certain circumstances. I do not believe that is right. Admittedly it might be said that on the Goldfields a concession is being granted.

Hon. R. M. Forrest: Would you compare Wyndham to Albany?

Hon. J. M. A. CUNNINGHAM: Yes, in the matter of freedom.

Hon. R. J. Boylen: It would be an odious comparison.

Hon. J. M. A. CUNNINGHAM: Not at all. In the matter of freedom, people should be given the same rights in one place as in another. If people can be law-abiding in Wyndham, they can be law-abiding in other places. I want to quote a few figures which are rather enlightening. They relate to actual cases of drunkenness at respective centres for the 12 months ended the 30th June last.

Hon. A. L. Loton: Are they official figures?

Hon. J. M. A. CUNNINGHAM: Yes. In one centre that has been mentioned, Kalgoorlie, the population is 21,500 and the charges of proved drunkenness over the period mentioned amounted to one in 60. There were only 362 cases. In Boulder, a smaller town with 6,600 people there were 63 cases of drunkenness or one in 105 per head of population.

Hon. R. J. Boylen: They were probably half Kalgoorlie-ites in any case.

Hon. J. M. A. CUNNINGHAM: At Coolgardie with a population of 2,200 there were only 26 cases for the 12 months and at Southern Cross with a population of 2,000, there were 37 cases. Menzies had no cases at all. Special circumstances apply to Esperance because it has a static population of 950 for the major portion of the year. In that town there were only two proven cases of drunkenness. The unusual feature about Esperance is that for five or six months of the year the population jumps to about 2,000 or 3,000, because of the holiday-makers who come from as far as the metropolitan area.

Nevertheless, there were only two cases of proved drunkenness in that town in the period. Esperance comes, more or less, within the same concession as applies on the Goldfields. The hours are long. Another point is that women can be seen drinking in the hotel bars at Esperance, but I have yet to see an objectionable case of drunkenness there either during the holiday period or the remainder of the year. When I have quoted these figures previously members have said, "Yes, it is known that in these districts the police are more lenient and tolerant." That is not so at all.

If a man in these places is drunk—particularly on Sundays or the weekend—he stands out like a pillar-box in the street and the police have no choice but to take him into custody. In the metropolitan area, during the same period, there were 6,046 cases, with a population of 279,000 or, one in 46. These are the worst figures I have quoted. Where repression is the greatest, we have by far the largest number of drunkards. Every member who has been on the Goldfields for any length of time will agree that we can see more cases of nasty drunkenness in the metropolitan area than up there. For every case of objectionable drunkenness on the Goldfields we will see two or three in the metropolitan area.

Hon. G. Bennetts: It is a better class of beer up there. It must be fighting beer down here.

Hon. J. A. Dimmitt: The police may be more vigilant in the metropolitan area.

Hon. J. M. A. CUNNINGHAM: That is simply another way of saying they are more tolerant on the Goldfields. That is not so. They have less to do on the Goldfields, and if they see a drunk lying around they must do their job. If it were relevant, I could also prove that general acts of lawlessness were less on the Goldfields than in the metropolitan area. The figures are available for anyone to check. Despite the fact that one itinerant traveller said that the Goldfields had the wickedest towns and cities in Australia, the facts and figures prove the contrary.

I do not like the question of Sunday trading being made a matter of geography. Admittedly the circumstances on the Goldfields are a little different from those elsewhere, and that is probably the reason why the present concession has been granted. We should look on Sunday trading with tolerance because, through the week, men on the mines are working different shifts. If they want to have a few convivial noggins they cannot have them during the week, but they can at the weekend.

It is not to say, simply because it is not a law of this Parliament, that Sunday trading contributes to lawlessness and unhappiness in the home compared with where there is no Sunday trading. If, as we believe, Sunday drinking—reasonable

drinking and not a swill—should be allowed there, the same concession should apply to the metropolitan area. I believe that repression in any form, whether it refers to liquor, racing or anything else—

Hon. Sir Charles Latham: And any form of crime, as well.

Hon. J. M. A. CUNNINGHAM: Is crime a repression? I believe repression causes crime because it leads to a natural desire to circumvent the obstacle or control. Take the circumstances in connection with a book. If I could write a book that I knew was going to be banned, I would be inclined to resign my seat, because I would become a wealthy man. The banning of a book is the surest guarantee an author can have of success. It is just a case of control and the desire of the individual to get around it.

Hon. Sir Charles Latham: It is the free advertising he gets by the banning.

Hon. J. M. A. CUNNINGHAM: The same thing applies to liquor. We all know of the greatest international case that we could find in a thousand years. In America such huge fortunes were made by bootleggers and gangsters during the years of prohibition that they were able, when prohibition was wiped out, to keep their organisations operating in almost every form of racketeering and law-breaking. Their fortunes were made by the desire and ability of the people to get around control.

Where we find repression we find the desire to circumvent it. It has been proven by speakers who have visited other countries that where a man can at any time of the day or night order a noggin or glass of wine, drunkenness is seldom seen. That is because those who are drinking can sit around for four or five hours, if they so desire, while they drink. If a person has six glasses of alcoholic beverage in an hour the effect on him is far greater than if he has the same amount in five or six hours.

Hon. R. J. Boylen: How do you know?

Hon. J. M. A. CUNNINGHAM: I have seen it in operation. I do not like the present setup. People could not call me a drinker—or at any rate a drunkard. I do not approve of control, or the desire to say when a man shall or shall not have a drink. I do not like the idea of the licensee having to see that if a man buys a drink at a particular time, he cannot take it away from the hotel. This will mean that people will obtain a room upstairs to where they will go with their bottles, with the result that there will be a nice how-do-you-do.

It may be suggested that the licensee will look after his hotel and prevent that sort of thing. In his speech, Dr. Hislop pointed out that in the Eastern States if a person went to a bar and asked for a

bottle of beer he would be laughed at; but if he had a room upstairs, he could have a case of beer sent up at 6s. a bottle. This sort of thing makes for rackets and law-breaking. It is not conducive to good citizenship, and I am opposed to it. If the concessions granted to the Goldfields and other districts were extended to the metropolitan area, drunkenness and crime arising out of drunkenness would be less than they are today. I firmly believe that, and I look forward to the day, despite my lack of interest in drinking itself, when I can give assistance to any Government that intends to make our drinking laws more in keeping with those of civilised countries.

Clause 25 seeks specifically to prevent liquor being sold or disposed of in any club on a Sunday or Anzac Day. I would like the Minister to tell me the position in regard to this point because in Boulder, after the big parade on Anzac Day, a general invitation is issued to the returned servicemen to have a convivial drink on the club or the association. It is not a beer-up, but just a case of the diggers from prospecting shows out in the bush, who do not come in more than once in six months, having an opportunity to have a friendly drink in pleasant circumstances. I am concerned because this clause might prevent the continuance of the present custom. The same thing might apply in other towns.

Hon. H. S. W. Parker: The returned soldiers insist that there shall be no drinking on Anzac Day.

Hon. J. M. A. CUNNINGHAM: I am afraid I must agree that the Goldfields towns are very unlawful.

Hon. H. Hearn: Do they pay for the drink, or is it given to them?

Hon. J. M. A. CUNNINGHAM: It is free and is supplied by the branch.

Hon. H. S. W. Parker: At every R.S.L. conference this question has been voted on.

Hon. J. M. A. CUNNINGHAM: I am very cautious about many of the suggestions brought up at conferences, because I have seen how they originate. At meetings we will find half a dozen members of the one opinion and they will suggest some improvement, as they call it, and have it agreed to. A branch with 1,000 members might have not more than half a dozen who will support such a proposition as that mentioned by Mr. Parker.

Hon. H. S. W. Parker: It is passed by every conference.

Hon. J. M. A. CUNNINGHAM: Yes, but one of the biggest sub-branches outside the metropolitan area wholeheartedly agrees to having this convivial drink. That is the answer to the suggestion that it is

the desire of the whole of the R.S.L. I would like the Minister's answer to the question I have raised in connection with this clause. The friendly drink I am referring to does not take place in the club, but in the hall belonging to the association. If that is a let out, I will be happy. I shall listen with interest to what other speakers have to say, and shall vote accordingly.

HON. A. L. LOTON (South) [5.30]: I, too, support the second reading of the measure and although I will not take up much time I intend to express my opposition to the provision for Sunday trading. If the House agrees to permit drinking during an hour at midday and an hour in the evening on Sundays, I feel sure that in the small space of years legislation will be introduced in an endeavour to have hotels open at all hours on Sundays.

Hon. R. J. Boylen: What is wrong with that?

Hon. A. L. LOTON: The hon. member who interjected is the same person who believes in a 40-hour week. In this case he is wanting one section of the community to work on Sundays so that he, and other fellows of his kind, can go along and enjoy themselves, or, in some cases, make a nuisance of themselves.

Hon. R. J. Boylen: You do not advance.

Hon. A. L. LOTON: In the country districts today many hotels are run as family concerns. Apparently if this legislation is agreed to, the hotelkeeper will be forced to work six normal working days, with a very busy Saturday afternoon and evening, and have to find staff to help him over the Sunday sessions of one hour at midday and one hour in the evening. Also, he will have to find domestic staff to provide meals after the Sunday sessions.

Hon. J. M. A. Cunningham: It will not be compulsory for him to open.

Hon. A. L. LOTON: That might be so. However, in most cases, the men and women who run these hotels like to have a day off. I do not say that they would, but they might, because most people like to have a day off now and again. We have heard all sorts of stories about the poor farm labourer who struggles into town on Saturday evening to get a few drinks and then goes home again.

Hon. Sir Charles Latham: Somebody said he had to walk ten miles into town.

Hon. A. L. LOTON: Yes, the poor old farm labourer had to walk or ride a bike up to 14 miles to get a drink on a Sunday and stand round the hotel for the rest of the day trying to enjoy himself. That does not make sense to me. In most country areas today the farmer who is lucky enough to employ a good

farm-hand treats him as one of the family and, in many cases, shares a drink with him during the week. There are not many farmers today who do not send their men into town at least one day during the week on some sort of business. The stories of a man walking 14 or 15 miles to get a drink is stretching the imagination too far.

Hon. R. M. Forrest: It is all moonshine.

Hon. A. L. LOTON: I have an idea in the back of my mind that this legislation has been introduced to legalise throughout other parts of the State conditions that are already tolerated in the mining towns of the Goldfields and at Collie.

Hon. G. Bennetts: They use it as a medicine to wash the dust from their lungs.

Hon. A. L. LOTON: I have heard other people using it for different reasons.

Hon. E. M. Davies: It makes a good gargle.

Hon. A. L. LOTON: I have no objection to anyone having a drink; I like one myself but I do not expect someone to work all hours of the week and then have to turn round and work on Sundays as well to provide me with liquor.

Hon. R. J. Boylen: You will finish up by joining a union.

Hon. A. L. LOTON: Maybe the hon. member's union. The Goldfields and Collie are mining districts and the conditions under which most people in those areas work are totally different from the conditions in other parts of the State. If that is so, I fail to see why legislation should not be brought in to provide for the people in those two particular areas. On the Goldfields, and also at Collie, s.p. betting is prevalent and yet no move is taken to legalise it or to stamp it out. But, if one travels a few miles from Collie, one finds that the police are most active in their persecution of those who indulge in trying to back winners.

Hon. J. M. A. Cunningham: You could call it prosecution and not persecution.

Hon. A. L. LOTON: I think the Government could overcome the difficulty by legalising trading on Sunday, if it is necessary, for those two sections of the State and excluding the other parts of the country areas. Mr. Roche put the matter most clearly as regards many portions of the agricultural areas that I represent. Conditions in the North-West and the Goldfields are probably different from those which obtain in other parts of the State, but today beer seems to be the lifeblood of the community. That may be all right, but I for one do not favour the encouragement of drinking. I most strongly resent the fact that Sunday trading should be encouraged in any way at all. Other than that, I support the Bill.

HON. L. A. LOGAN (Midland) [5.35]: If I had to treat the section of the Bill dealing with Sunday trading purely from a personal point of view, I would strongly object to it. Members may say that I belong to the stone age, or something like that, but I think if we sat down and studied this question, we would all agree that that is at least one day in the week when it should not be necessary to drink beer. However, appreciating that we cannot always study these things from a personal angle, we have to get down to practical politics and realise that we have to go somewhat further. In going further we realise that over past years Sunday trading has been allowed in certain areas of the State.

Hon. A. L. Loton: But it has not been legal.

Hon. L. A. LOGAN: No, but it has been allowed, and in this case the Goldfields have been held up by almost every speaker. We find the same thing in the agricultural areas and in the North-West towns. Unfortunately conditions are such that in one town a person is allowed to have two sessions on Sunday, and in the next town that state of affairs is not permitted to continue. It is all at the whim of the police.

So the Government in its wisdom has decided to legalise Sunday drinking, except for the metropolitan area. Again, from a personal point of view, I would like to include such towns as Bunbury, Albany and Geraldton in the same category as the metropolitan area. I do not think those places should be given the same conditions as the Goldfields and the outback towns, but once again practical politics come into the picture and those people who are demanding it consider they have the right to it.

It seems rather strange to me that in the country towns, over the last few years, our storekeepers have been forced to close their shops on Saturday afternoons. Yet here we are turning round and telling hotelkeepers to open their premises on Sundays. The closing of shops on a Saturday afternoon breaks up the social life of these communities. When the shops were open on Saturday afternoons and evenings, the country people met each other and had a few convivial drinks together every fortnight or so.

Under conditions that exist at the moment many of them come in on a Friday, others on Saturday morning, and we now find that it is sometimes three or four months before these people see each other. Previously they used to meet nearly every week. Under this Bill we are going to ask the hotelkeepers to open their licensed premises for two sessions on Sundays and the people who want drinks on Sundays are the people who are not prepared to work on Saturday afternoons. That is one of the strange traits of human nature.

Again practical politics come into the picture, and so we are going to try to legalise Sunday trading. In doing this the Bill states that there shall be one session between 12 and 1 o'clock and one between 5 and 6 o'clock. Within 12 months those hours will be extended. A considerable amount of sport is played in the country areas and during the summer months cricket matches are played every Sunday afternoon. Cricket matches do not usually finish until 6 o'clock or after and that will be too late for the players to have a drink. So there will be the choice of two courses; either the players will play cricket and go without a drink or they will knock off cricket.

Hon. H. K. Watson: The easiest way would be for the umpire, at 5 o'clock, to say, "I will leave the stumps for one hour."

Hon. L. A. LOGAN: That would be one way out of it, but they could not finish their cricket matches by 5 o'clock. If this comes into being we will have the same spectacle in our country towns as we had when sport was played on a Saturday afternoon. Those matches used to be wonderful social events and all the boys used to play sport. Unfortunately liquor has spoilt that, and it looks as if the same thing will happen on Sundays. No man will continue to play cricket after 5 o'clock if most of the other members of the team have left to go and have some drinks.

Hon. N. E. Baxter: That did not spoil it.

Hon. L. A. LOGAN: Yes, it did. I have been on a tennis-court and at five o'clock all the players have just walked off the court because the session was on. Personally, I am opposed to Sunday trading because I do not think it is necessary. The suggestion has been made that the liquor trade is a monopoly, but I think if we go into the conditions of the trade, we will find that the controlling body, the Liquor Trades Council, has been doing, and is endeavouring to do, a reasonable job in keeping the people they serve up to scratch. If that body finds that any hotelkeeper is not playing the game and is not keeping his hotel as it should be kept, the council comes into the picture and makes the licensee either improve his hotel or he loses control of it.

Hon. G. Bennetts: The breweries control them all today.

Hon. L. A. LOGAN: The breweries are part and parcel of the Liquor Trades Council and today they are using strong measures to control these hotelkeepers. Some members also mentioned that the alcoholic content of beer should be reduced. I did not know very much about it, but I obtained some information and found that the alcoholic content of beer in Australia today is identical with that applying in America and England. From what I

have been told—and it is reliable information—the alcoholic content of our beers is as follows:—

Emu Lager	3.4 per cent.
Swan Lager	3.7 per cent.
Emu Bitter	3.9 per cent.

If we start to interfere with the alcoholic content of the beer—and that can be done only by altering the amount of malt and hops—we will immediately start to interfere with the flavour. We would probably find the same type of result as putting water in lemonade, and it would probably have much the same sort of flavour. In that case the people who drink beer would not bother to drink it any more because the flavour would be different.

Hon. J. G. Hislop: Where did you get that from? Hans Andersen?

Hon. L. A. LOGAN: Dr. Hislop is entitled to check up on the figures I have given. I obtained those figures from the authority concerned and I should say they are correct. There are one or two clauses in the Bill about which I am not altogether happy. I would like to ask the Minister to check the amendment he has on Clause 12. I do not know whether its wording is correct. It deals with bona fide travellers, and seeks to delete the figure "10" and insert in lieu the figure "50." Under the parent Act which I have, the figure is 20, but on the notice paper it is 10, and I am not sure that it is not a misprint.

I am quite happy about the inclusion of the clause regarding drinking around dance halls but I am not quite clear how this is going to work because I think the owner of premises or the man in charge of premises can still allow liquor to be consumed there. In some places we have the spectacle of a large notice being stuck up at the entrance to dance halls, stating, "Intoxicating liquor not allowed on the premises." There is a policeman standing at the door but, in spite of that, beer has been taken up by the bagful and by the armful. That is what has gone on in the past.

This provision will only prevent drinking on the footpath and in motor cars, but I do not think it will prevent drinking in dance halls. It might be to the benefit of all concerned and much better if the drinking were done inside the hall rather than outside. If that is so, then we are moving in the right direction but that has still to be proved. It will also stop the habit which has developed of late of holding barbecues, unless they are held on private property. During the last few years the holding of barbecues has grown to large proportions, in consequence of which instead of consuming their liquor in hotels, parties drink it in the open air with something to eat in between and go home reasonably sober.

I hope the provision in regard to betting will also have some effect. As I said previously, the mixing of drinking and betting

has been the ruination of a number of young fellows in this country. Just what is meant by "premises" is something that will have to be decided, because it might mean the footpath. I would say that 90 per cent. of betting takes place on the footpaths outside hotels. I do hope that, with this clause inserted in the Bill, the law will be strictly enforced. I agree with Mr. Roche that the provision is a beginning, and I think we all hope it will not be long before a betting Bill is brought before Parliament for consideration.

The only other provision which may cause some controversy—though the people concerned do not seem to be worried about it—is the fact that when a new license is applied for a certain amount must be paid into Consolidated Revenue before a license is granted. Some licenses are held for four or five years before premises can be built for the licenses to operate. I do not know what premium they have to pay but it seems to me they have the money lying idle for a long time; but as the people concerned have no objection to the provision, I dare say they are satisfied. Having given my personal opinions on Sunday trading, there is only one more point I should like to mention and that is that I have communicated with those people in my area who are interested in this Bill, and in its present form it conforms almost entirely with what they desire. Had that not been so, there would have been more amendments on the notice paper. However, another place seems to have very kindly done all the work that is necessary. The Committee stage should be interesting, and I will leave any further discussion till then. I support the second reading.

THE MINISTER FOR TRANSPORT

(Hon. C. H. Simpson—Midland—in reply) [5.50]: On the whole, I am pleased with the reception this Bill has had at the hands of members. I do not intend to spend much time in replying, because the Bill can be dealt with at the Committee stage and queries can be raised as the individual clauses are discussed. But there are one or two points that have been mentioned during the debate, and I will reply to them. For instance, Mr. Cunningham asked what the position would be in regard to liquor being drunk on Anzac Day in a hall which was near licensed premises.

The answer is that if that hall was part of licensed premises it would be subject to the licensing law, and liquor consumed in it would be illegally consumed. If the hall were separate and not covered by the license, that is, if it were not actually licensed premises, then liquor could be consumed in it, provided the liquor there was not for sale. So if the soldiers wanted a convivial drink, as Mr. Cunningham suggested, there would be nothing to prevent them supplying their own beer and

having it there. Mr. Jones raised the point about refreshment rooms on the railways being able to have a session on Sunday.

Licensed premises—that is, refreshment rooms on railways—are subject to special laws which entitled them to sell liquor from half-an-hour before to half-an-hour after the actual passing of a train. If there are trains going through on Sunday, I would say the session might be held, but if there were no trains going through it would not be possible, and I think it would be against the intention of the licensing laws.

In his remarks Mr. Logan raised a point about the bona fide traveller clause in relation to the intended distance specified in the Bill. Section 125 of the principal Act states—

No person shall be deemed to be a bona fide traveller within the meaning of this Act—

- (a) if the place where he demands to be or is supplied with liquor is within an area bounded by a circle having a radius of 20 miles from the Town Hall in Perth; or

and this is the appropriate paragraph—

- (b) if the place where he demands to be or is supplied with liquor is elsewhere than within an area bounded by a circle having a radius of 20 miles from the Town Hall in Perth, unless such place is more than ten miles from the place where he lodged during the preceding night; such distance to be calculated, etc.

But the area outside the metropolitan circle is really ten miles, so that the amendment is to change that distance from 10 to 50 miles to conform to modern travelling and modern roads.

A great deal might have been said, and in fact has been said, about possible changes in conditions in regard to drinking. We realise that conditions in Australia might perhaps gradually become different over the years. For instance, Australia is an ideal wine-producing country and many foreigners have expressed surprise that beer is the popular beverage rather than wine, which can be produced in quantity and in quality. In time we might develop greater appreciation of that natural product of our land. Some have held the opinion that we should curtail our hours of drinking rather than extend them in certain cases. It is curious that, with the greater availability of liquor, there has nearly always been greater moderation in its consumption.

After all, the consumption of liquor in itself is not reprehensible. It is only when it is abused that people object, and it is only then that they become con-

cerned. The practice that has developed, in certain cities particularly, has been more or less to force those who desire a drink after knocking off work to consume as much as they can before closing time. In some of the Eastern States, closing time is 6 o'clock; we in this State have adopted a more sensible practice, and closing time here is 9 o'clock, with the result that there is not the same rush to get in as many drinks before hotels close. In Tasmania, the question was debated whether they would adhere to six o'clock closing, and finally they decided to keep their hotels open until 10 o'clock, and the incidence of drinking has dropped by half.

I think we have adopted a realistic view and tried to regard this as a step on a journey rather than the ultimate end. No doubt the question of the hours of drinking and the various ancillaries of providing liquor will be brought up from time to time, and no doubt as we are educated to different habits we may amend our laws to suit those habits and the desire of the people at the time. Australia has been termed a land of swillers. The United Kingdom is called the land of sippers, because they have extended hours and go into hotels for one or two drinks, which makes it more like a social club. The American, who is a hustling individual, has generally been termed a gulper, because he likes to drink his liquor quickly and then go away.

There is one practice that has not been mentioned, and that is the practice of "shouting", which, to a logical man seems to be right out of tune with the obligation one assumes with regard to other commodities. If I met someone going into a grocer's shop, I would not feel obliged to buy him a lb. of tea or a lb. of butter. If I went in for a meal, I would buy my own meal and leave; but when I go in for a drink, I feel bound, by custom, to buy a round of drinks, and, in turn, am shouted a drink by somebody else. However, that might be altered with changing years and changing education. At the moment, there is nothing we can do; we propose to proceed gradually with amendments that may be brought in.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Minister for Transport in charge of the Bill.

Clauses 1 to 9—agreed to.

Clause 10—Section 122 amended:

Hon. A. L. LOTON: Subclause (2) (c) (i) refers to an area bounded by a circle having a radius of 20 miles from the Town Hall in Perth. It is possible that there might be a new site for the Town Hall at some future time and I am wondering

whether we should describe the centre as the datum peg, which is at the corner of St. George's Terrace and Cathedral Avenue.

The CHAIRMAN: Does the hon. member propose to move an amendment to that effect?

Hon. A. L. LOTON: I do not know how it would affect the Act seeing that the Town Hall is mentioned there.

The CHAIRMAN: An amendment to that effect could not be made here.

Hon. H. C. STRICKLAND: Subclause (2) (a) states that this provision shall not prohibit the sale of liquor, amongst other people, to a lodger, provided no such liquor is taken away from the premises. This proviso is likely to create difficulties. Under the Act, a lodger is permitted to take liquor away from the premises, and I assume that the reason this provision was made was that he would be checking out and leaving on Sunday. The paragraph may refer only to liquor purchased on the Sunday. I am speaking for outlying areas, such as Marble Bar and Nullagine. Men who have been working their shows come into the town on Friday night or Saturday morning and leave again on Sunday evening, and would wish to take some liquor with them. The same thing applies to shearers.

Hon. L. CRAIG: In any event, do you think they would take any notice of this provision? Would you upset the people of the whole State for a few people in Nullagine?

Hon. H. C. STRICKLAND: Some provision should be made for people living in those remote areas. I move an amendment—

That, in line 5 of Subclause (2) (a) after the word "premises" the words "except in the Goldfields districts as defined in Section 121, Subsection (5) of this Part" be inserted.

Hon. N. E. BAXTER: A similar difficulty might occur elsewhere than on the Goldfields, even in the city. If a lodger had purchased liquor on Saturday night and taken it to his room, he might be checking out on Sunday and may not have consumed all the liquor he purchased and he would be compelled to leave it behind. I should like to hear the opinion of the Minister.

The MINISTER FOR TRANSPORT: The effect of the amendment would be to leave the position wide open to everybody. The subclause was inserted in another place, and the underlying intention was to prevent anybody like the yardman or other employee of the hotel from laying in a stock of bottled beer on Saturday and selling it on Sunday.

Sitting suspended from 6.15 to 7.30 p.m.

The MINISTER FOR TRANSPORT: Members will recall what I said before tea. The amendment, if agreed to, would create one Sunday trading law to apply

to the metropolitan area—to which we all agree—and another that would apply to the rest of the State with the exception of the Goldfields areas as defined in the section to which Mr. Strickland referred. We would then have, in effect three separate laws governing the consumption of liquor in different parts of the State. That would not be desirable.

Hon. H. C. STRICKLAND: The amendment would create no more distinction between different parts of the State than exists under the Bill at the present time.

Amendment put and negatived.

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

That in line 5 of paragraph (a) of proposed new Subsection (2) after the word "premises" the words "except in the event of a lodger booking out" be inserted.

The amendment would apply only to a person staying at the hotel who happened to book out and desired to purchase a bottle of liquor to take with him.

Hon. H. L. ROCHE: Would not the amendment open the way to considerable abuse? A lodger could buy a case of beer after booking out and take it down the street to distribute among his friends.

Hon. H. C. Strickland: He could do that now.

Hon. H. L. ROCHE: He could buy a quantity of liquor and take it away with him.

Hon. H. C. STRICKLAND: The only man at present allowed to take liquor away from the premises on a Sunday is the lodger.

Hon. J. M. A. Cunningham: Limit the quantity he can take.

Hon. H. C. STRICKLAND: Why do that? This has operated for years and has not been abused. A policeman who did not like a particular lodger could prevent him taking liquor from the premises.

Hon. Sir Charles Latham: That would not be likely to happen.

Hon. H. C. STRICKLAND: Things that are not likely to happen with regard to policemen unfortunately do happen.

Hon. L. CRAIG: The amendment would throw the position wide open to abuse and anyone wanting beer could get a lodger to book out, buy the beer for him and then book in again.

Hon. H. L. Roche: When he booked out he would have to settle his account.

Hon. L. CRAIG: The measure says nothing about paying. The lodger might have an account at the hotel.

Hon. N. E. BAXTER: The amendment refers to the whole State and not to any particular area and I am sure Mr. Craig does not understand the position in

the country where people often book into a hotel for the week-end and leave again on the Sunday afternoon or evening. The amendment would allow such a person to take with him any liquor that he had, and I think there is very little danger of trafficking in that regard.

Hon. A. R. JONES: The object of the Bill is to obviate what has been happening in past years, namely, the evasion of the law. We should be sympathetic to the desire of the hon. member to tidy up the clause. It will obviate a person booking out on a Sunday morning merely for the sake of obtaining beer and will prevent the breaking of the liquor laws on a Sunday.

Hon. H. HEARN: I oppose the amendment. We are trying to rationalise and regularise the sale of liquor. Despite the optimism of Mr. Baxter, I agree with Mr. Craig that the amendment will throw the door open for excess indulgence, and possibly we might have to bring down another Bill next year to rectify the position. If the Bill is to deal with the sale of liquor on a Sunday, then the best idea would be for the lodger to carry the liquor away inside him. It is only by enforcing that rule that we will be able to police the Act and gain the advantages which we are seeking.

Hon. W. R. HALL: I support the amendment because of what has happened to myself at Kalgoorlie. I have booked in at a hotel and when I have left on the Sunday morning I have put a few bottles in an ice box at the back of my car. I do not see anything wrong with that. Some members have never travelled over long distances and therefore do not know what the conditions are like. Many commercial travellers at Kalgoorlie book out of a hotel to come to Perth on Sunday and if they desire to carry any beer in an ice box, ice is always available to them before leaving. A drink along the track is very enjoyable when the temperature is over 100 degrees in the shade.

Hon. R. J. BOYLEN: I support the amendment. Mr. Hearn said that we are trying to rationalise and regularise the liquor trade, but we are also endeavouring to legalise the practices which have been followed in the past and which have been harmless enough to date. Mr. Baxter said that a lodger can get beer at any time. Under the amendment the publican could supply beer within the law instead of outside the law. The amendment will also provide for all districts and not merely the Goldfields areas.

The MINISTER FOR TRANSPORT: I hope the Committee will not agree to the amendment. When the Bill was drafted this clause was not included; it was inserted after considerable debate in another place. Its object is to enable a licensee to serve liquor on Sunday to those living

with him, the condition being that they must consume it on the premises. The idea was to stop bottle trading on Sunday. A bona fide traveller very seldom takes a long trip on Sunday without knowing about it on Saturday, and he could buy his bottles then.

Hon. W. R. Hall: No man can drink hot beer.

The MINISTER FOR TRANSPORT: He would find means of cooling it. If the amendment is passed, what could happen is that some people could say, "Look Bill, you book in as a lodger at the hotel, buy a case of beer and then book out."

Hon. H. C. Strickland: Why do they not do it now?

The MINISTER FOR TRANSPORT: That is what would happen, and that is what the Bill is trying to avoid.

Hon. R. J. BOYLEN: The Minister's explanation is a poor one when he suggests that a lodger could buy beer on the Saturday. Where would he keep it, except in his room? The Bill stipulates that a licensee, his employee or a lodger on the premises, must take it away from the premises.

The Minister for Transport: No, only such liquor as is bought on Sundays.

Hon. R. J. BOYLEN: What proof would there be that it was not bought on a Sunday?

The Minister for Transport: Probably none.

Hon. R. J. BOYLEN: If the amendment were agreed to, there would be no danger of a breach of the law being committed.

Hon. H. S. W. PARKER: I hope the Committee will not agree to the amendment. We are trying to tighten up the liquor laws for the benefit of everybody. If the amendment is passed, we might as well scrap the whole Bill. All one need do in any country town is to say, "So and so is stopping at a hotel and we will get him to buy some bottles." That individual would be able to buy all the beer he wanted. Even if we agree to the amendment, how do we know another place will do so?

Hon. W. R. Hall: Why should we worry about another place?

Hon. H. S. W. PARKER: We need not, but that is my opinion. If we agree to the amendment, we might as well place no restrictions whatsoever on Sunday trading because the object of the Bill is to restrict it. What hardship is there for a person travelling on a Sunday, if he is denied liquor for once? In any event, he should not drink liquor whilst driving.

Hon. R. M. Forrest: I do not agree with that; it all depends where he is travelling.

Hon. H. S. W. PARKER: A person does not drink beer while he is out in the sun. I have lived in the North and I did not drink liquor out in the sun because it is considered dangerous.

Hon. H. C. STRICKLAND: There has been a great deal said about throwing Sunday trading wide open, and that there will be a lot of illicit trading. I do not know why it does not happen now. Apart from a bona fide lodger, the licensee is the only one who can leave the premises with liquor. Even a barman is infringing the law if he walks out of a hotel with a bottle of beer. I am not trying to restrict the lodger at all. If a man desires to pay his hotel bill during the hours laid down in this measure, he cannot buy a bottle of beer to take away with him. However, after 7 p.m. he can ask for a barrel if he so desires and the licensee is permitted to serve him.

Amendment put and negatived.

The MINISTER FOR TRANSPORT: I move an amendment—

That in line 2 of paragraph (c) of proposed new Subsection (2) the words "Good Friday" be struck out.

Obviously these words are an anachronism.

Amendment put and passed.

Hon. N. E. BAXTER: I move an amendment—

That in line 3 of subparagraph (ii) of paragraph (c) of proposed new Subsection (2) the words "twelve noon" be struck out and the words "eleven thirty a.m." inserted in lieu.

I want to extend the period from one hour to an hour and a half during which the licensee will be allowed to trade on Sunday. The single hour of trading would tend to develop "trough drinking" when men and women will go to the hotel and drink as fast as possible, whereas the longer period would enable them to drink more leisurely.

Hon. L. CRAIG: You admit there will be a rush on Sundays from noon to 1 p.m.

Hon. N. E. BAXTER: Yes, there will be that rush, particularly in the country areas where staffs are small and the licensee will have more trade than he can handle.

Hon. L. CRAIG: You are condemning your own arguments, and you say there will be a rush and swilling on Sundays.

Hon. N. E. BAXTER: The extra time will allow the licensee and his staff to handle the trade better.

The MINISTER FOR TRANSPORT: The desire is to make conditions uniform throughout the State and in this instance the idea is to overlap the period when church services are held. I am sure another place would not accept the amendment.

Amendment put and negatived.

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

That in lines 3 to 5 of subparagraph (ii) of paragraph (c) of proposed new Subsection (2) the words "or the hours of five p.m. and six p.m., and" be struck out.

My purpose is to restrict drinking on Sundays to one session and not two.

The MINISTER FOR TRANSPORT: I oppose the amendment. The object is to validate a system that has grown up in country areas. The effect of the amendment, for instance, would be to allow spectators and players at a football match to have a drink in the morning when they were not thirsty, and deny them the right to have one after the match when everyone was very thirsty.

Amendment put and negatived.

Hon. H. C. STRICKLAND: I draw attention to the wording of subparagraph (iii). It is the most ridiculous one I have seen in a measure of this description. It will prohibit the sale of liquor if it is not in a bottle. Earlier we made provision for a person to have liquor with his meal and this means that he will not be able to get it except in the bottle. It is too silly for words.

Hon. E. M. HEENAN: The point raised by Mr. Strickland is worthy of consideration. If a man is a boarder at a hotel and he wants a bottle of beer with his Sunday meal, he will not be able to obtain it.

Hon. L. CRAIG: But he could obtain the contents of the bottle.

Hon. E. M. HEENAN: It does not seem to me to be right. If a man wants wine it is always bought by the bottle.

The Minister for Transport: You are trying to validate a bottle trade on Sundays.

Hon. L. CRAIG: That will be the effect if the subparagraph is struck out.

Hon. E. M. HEENAN: I know it is difficult. It seems that if a person wants a bottle of beer with his Sunday meal, he cannot be supplied with it.

The Minister for Transport: This has no relation to meals, but refers to the sale of liquor to anyone who wants to buy liquor on a Sunday.

Hon. E. M. HEENAN: I would like the Minister to clarify the meaning of "by the bottle or in a bottle".

Hon. L. CRAIG: The position is really quite clear. The subparagraph will merely prohibit the sale of liquor on a Sunday if it is in a bottle. Unless we leave the provision alone, people will be able to buy bottles and take them away. The provision is as clear as we can make it. It may be interpreted by some people in another way, but to me it is perfectly clear.

Hon. R. J. BOYLEN: I have no hesitation in making an attempt to validate the sale of beer by the bottle on Sundays, within reasonable limits. On the Goldfields bottles have been sold up to 1 p.m. and rarely does one see anyone taking away more than one or two bottles. The liquor is not sold after 1 p.m. to prevent its being consumed in public parks. The idea is to allow people to take bottled beer home to consume with their lunch. I move an amendment—

That at the end of subparagraph (iii) of paragraph (c) of proposed new Subsection (2) the following words be added: "after the hour of one p.m."

THE MINISTER FOR TRANSPORT: I trust the Committee will not accept the amendment. The effect would be that people could buy all the bottles they liked before 1 p.m., and the object of the Bill is to stop the bottle trade on Sundays. If people want beer for drinking on Sunday they can purchase bottles during the week.

Hon. H. S. W. PARKER: Under paragraph (b) it is possible for beer to be obtained in the bottle. It is only between noon and 1 p.m. and between 5 p.m. and 6 p.m. that people cannot have it by the bottle. If folk want bottles to take home, they must buy them on the Saturday.

Amendment put and negatived.

Hon. N. E. BAXTER: I move an amendment—

That at the end of subparagraph (iii) of paragraph (c) of proposed new Subsection (2), the following words be added:—"except when served from the bottle."

That would remove the possibility of a bottle being secured during the meal hour.

THE MINISTER FOR TRANSPORT: I trust the Committee will not accept the amendment. I take it the object is to ensure that a person having a meal can get a drink. But that is covered by paragraph (b).

Amendment put and negatived.

Clause as previously amended, agreed to.

Clauses 11 and 12—agreed to.

Clause 13—New Section 134A:

Hon. H. L. ROCHE: I wish to secure amendments to this proposed new section to deal with instances, not covered by the Bill, of small country places that may be outside townsites. I shall have to submit several amendments to achieve my purpose. I move an amendment—

That in lines 1 and 2 of Subsection (1) of proposed new Section 134A the words "within any townsite, and" be struck out.

My purpose is to alter this subsection to read as follows:—

No person shall, whether or not in or on a vehicle—

- (a) drink liquor within any townsite on or in any road, street, footpath or lane or outside a townsite on any public or agricultural reserve or on any road, street, footpath or lane within 20 chains of such reserve except with the consent of the persons or authority in control, within any park or reserve.

I understand there is no opposition to the principle I have in mind.

Hon. L. CRAIG: I do not want to hinder the hon. member's intention, but I think this amendment would prevent people from taking beer on a picnic and pulling up alongside any reserve to consume it.

THE MINISTER FOR TRANSPORT: The Minister in charge of the Bill in another place expressed sympathy with the principle of the amendment. I think that the main thought in his mind was to amend the phraseology slightly so that a person in charge of a building might have control over the consumption of liquor in the building and that the prohibition against liquor being consumed outside might stand as provided for in the amendment submitted. I can see the point raised by Mr. Craig, and it is one to which I am afraid we have not given any thought. I am in sympathy with what the hon. member wants to do, but I hardly see how we can cover the case he has in mind and still avoid transgressing on the liberty we want to afford other people.

Hon. H. L. ROCHE: I do not pretend that I am sufficiently gifted legally to overcome the objection entirely but I am very concerned that, in some way or other we should achieve my objective. Otherwise one of the most important provisions in the Bill is considerably nullified, namely, that which is designed to prevent people from taking liquor to places of entertainment. This is being done in the country in buildings which are outside townsites and in some districts the people doing this are ruining the functions they attend. The amendments were drafted at the Crown Law Department, but they did not receive as much consideration as we would like. As the Minister here and the Minister in charge of the Bill in another place are sympathetic to what is wanted, might I suggest that we pass the amendments and they can then be reviewed by the Minister and the Parliamentary Draftsman?

The Minister for Transport: I think that the hon. member's third suggested amendment should be altered a little.

Hon. L. A. LOGAN: Might I suggest that we leave paragraphs (a) and (b) as they are and, instead of having paragraphs (c),

and (d), make the provision start off with "1 (a) and include the words 'no person shall'?" This would cover every hall in Western Australia.

Hon. J. G. Hislop: The Victorian legislation covers what we are attempting to do here.

The MINISTER FOR TRANSPORT: Mr. Logan's suggestion would have the effect of preventing the consumption of liquor between any two towns. The reason the term "public hall" is not used is because "agricultural hall" is recognised under the Road Districts Act. Dr. Hislop's remarks concerning the Victorian legislation would require examination.

Hon. H. L. ROCHE: I am happy to accept the Minister's proposal in view of the wealth of legal opinion behind it. I was afraid it might not cover the small halls that are not known as agricultural halls.

Amendment put and passed.

Hon. H. L. ROCHE: I move an amendment—

That in line 1 of paragraph (a) of Subsection (1) of proposed new Section 134A after the word "liquor" the following be inserted:—"(i) within a townsite".

Amendment put and passed.

Hon. H. L. ROCHE: I move an amendment—

That in line 18 of paragraph (a) of Subsection (1) of proposed new Section 134A after the word "or" secondly occurring, the following new subparagraph be inserted:—

(ii) outside a town hall or agricultural hall, or on any road, street, footpath, or lane, within twenty chains of any such hall; or (iii).

Amendment put and passed.

Hon. H. L. ROCHE: I move an amendment—

That in line 1 of paragraph (c) of Subsection (1) of proposed new Section 134A after the word "premises" the words "other than licensed premises" be inserted.

This amendment has nothing to do with the problem with which we have just dealt. These words should be inserted because otherwise I think no one would be allowed to drink in licensed premises situated within 20 chains of any hall where some sort of entertainment was in progress.

The Minister for Transport: It is suggested that the position with regard to licensed premises is already adequately covered.

Hon. H. L. ROCHE: If the Minister is satisfied that the danger I see does not exist, I am prepared to withdraw the amendment.

The MINISTER FOR TRANSPORT: Possibly the position would be carried beyond any chance of misinterpretation if the amendment were agreed to, so I am prepared to accept it.

Hon. L. CRAIG: It seems to me that there is a little danger in the amendment. The clause excludes hotels. If we agreed to the amendment it could be claimed that it would be giving a permit to people to drink on licensed premises even without the consent of the occupier or owner. I think the amendment is unnecessary and may lead to abuse. To avoid any trouble I think it would be advisable to leave the paragraph as it is.

Hon. H. L. ROCHE: As I have already indicated, I am quite easy about this. If the Minister thinks it desirable to agree to it I am quite happy, but in view of Mr. Craig's interpretation I am quite prepared to withdraw it if the Minister thinks it necessary.

The MINISTER FOR TRANSPORT: I think there is something in what Mr. Craig has said and that the point is adequately covered.

Hon. H. L. ROCHE: In view of that, I ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause, as amended, agreed to.

Clauses 14 to 24—agreed to.

Clause 25—Section 205 repealed:

Hon. G. BENNETTS: In some parts of the country districts clubs hold licenses and to my mind the same privilege should be extended to them as is extended to hotels.

Hon. E. M. HEENAN: This clause repeals Section 205 and that section makes it illegal for clubs to serve liquor on Sundays except in certain instances. The clause has for its purpose the enlarging of those provisions to make it lawful for clubs to serve liquor on Sundays between the hours of 11.30 a.m. and 1.30 p.m. and 4.30 p.m. and 6.30 p.m. On the Goldfields, clubs, like hotels, have, over the years, acquired certain privileges and on Sundays the clubs trade longer hours than the hotels. I am anxious to insert a proviso similar to that included in Section 121. That proviso enables the Governor on the recommendation of the Licensing Court to extend or reduce the hours in any licensing district.

Hon. Sir Charles Latham: I think it was used to close the hotels at 6 o'clock in the metropolitan area during the war period.

Hon. E. M. HEENAN: We hope to be able to make out a sufficiently good case to have the Sunday periods on the Goldfields enlarged and it will be necessary for me to insert the same proviso at the end of this clause.

The CHAIRMAN: There is a consequential amendment that must be dealt with first.

The MINISTER FOR TRANSPORT: I move an amendment—

That in line 3 of proposed new Section 205 (1) the words "or Good Friday" be struck out.

This is a consequential amendment on an earlier amendment which deleted the same words.

Amendment put and passed.

Hon. E. M. HEENAN: I move an amendment—

That at the end of the proposed new Section 205 the following words be added:—

Provided that the Governor may, on the recommendation of the Licensing Court, by proclamation extend or reduce the hours in any licensing district or part of a district within the Goldfields district, and this subsection shall have effect as so modified, but any such proclamation may, on the recommendation of the Licensing Court, be varied or revoked by a subsequent proclamation.

The MINISTER FOR TRANSPORT: This does create different conditions for a part of the State from those that obtain in other parts. Paragraph (c) states that clubs shall have two two-hourly periods during the day. Those two hours can be at any period that the court may determine on application as long as they are separated by three hours. There are two periods of two hours as distinct from two periods of one hour each in ordinary hotel trading. The proviso suggested by Mr. Heenan really applies to another section of the Act—to hours rather than days.

The only objection I have is that it creates three sets of conditions—one which has been generally agreed to; one which limits trading hours in the metropolitan area; and it would create one set of conditions on the Goldfields and another for the agricultural areas outside the metropolitan area and not within the recognised limits of the Goldfields. The intention of the Bill was to create a set of conditions for the whole of the State with the exception of the metropolitan area. For that reason I hope the Committee will not accept the amendment.

Hon. L. CRAIG: I think it would be a pity to change the conditions as laid down in the Bill. It provides that clubs may have two hours for drinking in the morning and two hours in the afternoon, and they should determine their own time by application. They can also have an hour at mealtime provided the liquor is consumed with a meal.

Hon. Sir Charles Latham: A lot of clubs do not serve meals.

Hon. L. CRAIG: In which case they still have four hours drinking. Surely that is enough. We do not want to turn the clubs into pubs. Clubs would lose their character if they were places to which people went to have innumerable drinks. As Sir Charles Latham said to me yesterday, we are getting very close to a continental Sunday; we have applications for Shield cricket on Sunday and if this goes on the door will be thrown wide open for Sunday to be treated as any other sporting holiday. The Bill is generous as it stands. Let us stick to it.

Hon. E. M. HEENAN: I hope the Committee will agree to my amendment. I am surprised at the way Mr. Craig has spoken. It is misinterpreting the position and quite misleading. When these licensing laws originated it was conceded that special conditions existed on the Goldfields. The hours of trading were different and I want to add the proviso, which allows the Governor on the recommendation of the Licensing Court, by proclamation, to extend or reduce the hours in any licensing district or part of a district within the Goldfields.

Hon. L. Craig: Does that refer to Sunday? This deals with Sunday.

Hon. E. M. HEENAN: Yes, of course it does.

Hon. L. Craig: It does not deal with Sunday at all. It has no relation to Sunday.

The CHAIRMAN: Order!

Hon. E. M. HEENAN: Under the Bill, Sunday trading hours for the whole of the State are from 12 noon till 1, and from 5 to 6. That applies to hotels. All I want is that if the Goldfields people can make out a sufficiently strong case and point out their special hardship, special conditions and privileges which they have enjoyed, the Governor, if he is convinced, may make proclamation to extend those hours. The Minister will confirm the fact that the Government will not oppose this but will extend the hours. The present conditions on the Goldfields have been in existence for about 50 years.

Hon. H. S. W. Parker: Hence the Bill.

Hon. E. M. HEENAN: If they are changed now, there will be difficulty in enforcing the law, but, of course, the people on the Goldfields will have to abide by the law. Drinking has gone on openly in the hotels and clubs on the Goldfields. But the clubs on the Goldfields are different from those down here. They do not serve meals and they are patronised largely by miners and workers. Of course, the people on the Goldfields may not succeed in the case they put up to the Governor and the hours will only be extended if their case

is convincing. I am only giving the right to the Governor to act if he thinks the case made out is a good one.

The CHAIRMAN: Before any further debate takes place, I would again urge members to restrict their speeches in the Committee stage. There is a lot to get through before the close of the session and it would greatly help if members would reduce their speeches on amendments.

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

Ayes	10
Noes	14

Majority against 4

Ayes.

Hon. G. Bennetts	Hon. E. M. Heenan
Hon. R. J. Boylen	Hon. J. G. Hialop
Hon. J. Cunningham	Hon. A. R. Jones
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. E. H. Gray	Hon. G. Fraser

(Teller.)

Noes.

Hon. N. E. Baxter	Hon. J. Murray
Hon. L. Craig	Hon. H. S. W. Parker
Hon. R. M. Forrest	Hon. H. L. Roche
Hon. C. H. Henning	Hon. C. H. Stimpson
Hon. Sir Chas. Latham	Hon. J. McL. Thomson
Hon. L. A. Logan	Hon. H. K. Watson
Hon. A. L. Loton	Hon. H. Hearn

(Teller.)

Pair.

Aye.	No.
Hon. W. R. Hall	Hon. F. R. Welsh

Amendment thus negatived.

Hon. N. E. BAXTER: I intend to vote against the clause on the ground that it provides for four hours of Sunday trading for one section while only two hours are conceded for other people. This is sectional legislation. It will apply to members of clubs, but not to the general public. Not every person can afford to join a club, and not everyone wishes to join. We are trying to bring the liquor trade within reasonable bounds, but this will not assist in that direction. I should like to hear what the Minister thinks about it.

Clause, as previously amended, put and passed.

Clause 26—agreed to.

New clause:

Hon. H. S. W. PARKER: I move—

That a new clause be inserted as follows:—

19. Section 184 of the principal Act is amended by inserting after the word "members" in line 1 of paragraph (d) the words "other than honorary or temporary members".

The Act provides that members shall be elected by the general body of members or by the committee on a day appointed and that a record shall be kept of the names. The term "members" includes honorary and temporary members. The present practice is not in accordance with the letter of the law. If a ship is passing through Fremantle, the name of a visitor may be put up for a few hours, and in such a case it is impossible to comply with

the requirements of the law. The object of the amendment is to enable people to entertain their friends in a club instead of in a hotel.

Hon. N. E. BAXTER: This is another little shot in the dark. We are trying to restrict the sale of alcohol and keep the traffic within reasonable bounds, but this will not help. The new clause will cater for just a few people and no provision having that effect has been included in any other part of the Bill.

The MINISTER FOR TRANSPORT: The proposed new clause has been submitted to the Attorney General and he is quite satisfied with it. Mr. Baxter should not run away with the idea that all clubs have ornate buildings and expensive entry fees. There are football, golf, yachting and other clubs whose entry fees are not excessive and the new clause would apply to those that have premises licensed for the sale of liquor. It will clear up an anomaly.

New clause put and passed.

Title—agreed to.

Bill reported with amendments and the report adopted.

Third Reading.

Read a third time and returned to the Assembly with amendments.

BILL—TRAFFIC ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to amendments Nos. 1 to 6, 8 and 10 made by the Council, had disagreed to amendment No. 9 and had agreed to amendment No. 7, subject to a further amendment.

BILL—LOAN, £12,535,000.

Received from the Assembly and read a first time.

BILL—LICENSING ACT AMENDMENT (No. 1).

Received from the Assembly and, on motion by Hon. G. Fraser, read a first time.

BILL—ELECTORAL ACT AMENDMENT (No. 2).

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the Council's amendment.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Second Reading.

Debate resumed from an earlier stage of the sitting.

HON. H. HEARN (Metropolitan) [9.32]: We recognise that the time has arrived when there should be some adjustment to the sums paid, both weekly and under the

various Schedules of the Act, to injured workers, on account of the rapid depreciation of the value of money since this legislation was last reviewed. The organisations with which I have the honour to be associated are, broadly speaking, willing to do everything possible to assist workers in industry when they are unlucky enough to meet with accidents during the course of their employment.

In South Australia recently amendments were made to the workers' compensation legislation of that State, but those amendments did not include all the provisions of this Bill in this regard, because the amendment we are here dealing with follows fairly closely the New South Wales Act. The original concept of providing compensation for an employee injured whilst carrying out the orders of his employer seems to be disappearing entirely. At one time it was recognised everywhere that a man injured in such circumstances should receive sufficient compensation to meet his reasonable requirements until he recovered sufficiently to resume his normal employment.

Today there seems to be a body of opinion that the Workers' Compensation Act should be a form of social insurance from the cradle to the grave. Accepting this proposition, there are already statutes passed by the Commonwealth Parliament to take care of unemployment and sickness during the period for which an employee is precluded from following his usual avocation. In those circumstances it is difficult to see why workers' compensation benefits should apply during the time an employee is not under the direction of his employer. Logically, why should compensation cease at the time he reaches his home? Why should he not be covered for 24 hours of the day?

It is my view that adequate compensation should be provided while the worker is under the instructions of his employer, but that it should cease when he is no longer subject to those orders, and, in my opinion, Clause 5 should be struck out. Clause 13(c) of the Bill is a proposal whereby, if the worker dies, his dependent wife is to receive £500, plus £50 for each dependent child, and that conflicts with the maximum compensation already provided for in the Bill.

In effect, a worker could receive £1,600 in weekly compensation and, instead of the limit of £1,750 applying, if he died his dependent wife could receive not £150, but £500, plus £50 for each child, thereby destroying that limit of £1,750. The effect of that, of course, is to make this a charge on industry rather than on the Commonwealth social services, which would make the payments to the widow.

I want to issue a word of warning. We are not nearly as industrialised as are the Eastern States; and though we are accepting cheerfully such burdens as we are able to carry, it is possible that if a period of

recession ensues in the near future industry may be overburdened. I know I will be told that industry tries to pass its burdens on to the consumer, but my reply to that is that industry cannot carry too great a burden. We have all, unfortunately, experienced the evil effects of the inflationary spiral which, if it once gets out of bounds, will rob the working man of everything he possesses.

Should that position be reached, it will not be big business alone that will suffer, and in the meantime it must be recognised that industry can carry only a certain burden. It is incredible to me that in the last few hours of a dying session we should be given our first glimpse of a measure such as this and certain other legislation that we have seen for the first time to-night. I wonder for how much longer members of this Chamber will be prepared to put up with that sort of thing when surely our function is to consider wisely and at leisure the important legislation that is sent down to us. I support the second reading.

HON. J. G. HISLOP (Metropolitan) [9.40]: In the main this Bill seeks to bring the compensation that is paid to injured workers up to a level that will meet the modern value of money, but there are one or two provisions in the Bill that require consideration. I have prepared some amendments, which I have handed to the Clerks of the House, and will move when the Bill is in Committee.

There are two features of the Bill with which I intend to deal. The first is that the measure proposes that the Medical Board shall keep a register of what are termed "specialists" in the medical profession. We have discussed this matter carefully, in the profession, and have decided that it would be much preferable to use the term "consultants". Members will recall that we had difficulty when the Medical Board attempted to formulate regulations by means of which it could keep a register of specialists applying to the whole of medical practice throughout the State.

The regulations made by the Medical Board were disallowed by this House at my request. Following that, a meeting of representatives of the British Medical Association and the underwriters was held and we agreed that some alternative should be decided on. But, when we tried to work it out, we found that if the British Medical Association took upon itself the responsibility of compiling a register of men who would act as specialists or consultants under the legislation, it might easily find itself mulcted in damages if it refused to recognise a registered medical practitioner who claimed specialised knowledge in any particular branch of medicine.

In the 18 months that have elapsed since that original meeting took place, the matter has more or less resolved itself and the underwriters, in the main, have been satisfied with the arrangement made. That is, that if there is any dispute in the matter as to who shall be paid and what he shall be paid, the disputes committee, which consists of representatives of the underwriters and of the British Medical Association, meets and comes to a decision. That has been a satisfactory gentlemen's agreement for the vast majority of the underwriters and it has worked well, but for some reason apparently, the State Government Insurance Office does not seem able to work without a list, and so it has asked that this register of specialists be made.

I am not guessing or bluffing when I say that this request comes from the State Government Insurance Office. We are willing to help in every way possible, but we believe that the use of the word "specialist" for the purposes of this Act might prove exceedingly difficult. What is really wanted in the legislation is that when we are dealing with a man who has been treated by a member of the medical profession who calls in a specialist for advice, we would like to use the term "consultant" instead of "specialist" in order to cover this work under the Workers' Compensation Act.

We consider that if the word "specialist" is included in the Bill, the Medical Board will be called upon to draw up regulations which, last time, it found it was unable to do on a satisfactory basis. There is another important point, namely, that the only place where there are specialists today is the metropolitan area. If we accept the term "specialist", doctors in the country areas will be limited to the specialists in the metropolitan area for any consultant advice they may desire.

An attempt should be made to decentralise medicine within the State as soon as possible, especially in the next few years, with the prospect of our population being greatly increased, and particularly in such places as Kalgoorlie. The result will be that in all large towns medical practitioners will begin to take an interest in a particular branch of medicine or surgery. We feel that such men should be rewarded by receiving some extra payment.

Here is a case in point. Dr. Daly Smith, in Kalgoorlie, had a high degree and was making a special study of a particular branch of surgery and was being called upon by his colleagues as a consultant; but he was not a specialist according to the term so used, because he was completely restricting his work to that one branch of surgery. The moment he commenced practising in the Terrace, his qualifications were accepted and he automatically became a specialist.

We feel that there are men in Bunbury and other large centres who are making special studies of some branch of medicine or surgery and could be called in to give advice to their colleagues as consultants. We have no desire to prevent the State Insurance Office from having on its lists the names of those to whom it will decide extra payment should be made, but if the term "consultant" were used, it would give these men a much better standing. I have therefore on the notice paper an amendment to this effect.

The second matter to which I wish to refer is the provision for the diagnosis to discover whether a hernia has been caused by an injury. When the proposed new paragraph is inserted in the Act, it will make confusion worse confounded because it is confused enough now. At the moment it appears that the board is restricted to the handling of certain cases, but the question of whether a man's hernia is accepted or not for payment of compensation is, in the main, the function of the State Insurance Office, or is the subject of an agreement between the worker and the employer. I suggest that the obvious answer to this problem is that we give to the board power to decide whether a hernia is a compensable injury. The board makes decisions on other compensation payments to be made to a worker, and it should have the right to decide on a hernia case.

Doctors have gone into this question very carefully in an endeavour to pinpoint whether a man suffers pain or disability at the outset of a hernia, and have found it impossible to do so. During the war, work was done at Hollywood Hospital on soldiers in relation to hernia cases. Briefly, this was the report made as a result of investigations—

Dr. Norman Robinson, at Hollywood Hospital during the war, made a long and careful observation on the relation of effort to hernia. The field was a good one for research because the soldiers had no motive for misstatement, whatever the cause or type of onset; all received the same treatment and the same privileges. His findings were that of approximately 150 cases, 50 per cent. came on with some degree of local pain, tenderness or discomfort, but most of these at the time showing no hernia, the hernia developing at a later stage. The degree of discomfort varied considerably, being moderately severe in some and causing a mild shock, while in others it was of only a minor degree. The remaining 50 per cent. had no pain or other symptoms at onset, but at a later stage discovered a swelling in the region of the groin; on medical examination, this swelling proved to be a hernia.

That only makes it more difficult still, and my feeling is that we have only one or two courses open to us. Either we must decide to accept that important opinion under

the Workers' Compensation Act or else we must leave the decision to the board, which already has to make frequent decisions regarding a man's injury.

In the original measure, not a single increase was made in the amounts provided to send a man to hospital, nor in the amounts provided for his medical attention and hospital care. Since 1933-34, costs have increased and the value of money has deteriorated considerably. Therefore, we should, of necessity, increase the amounts originally provided in the Act. In recent legislation dealt with by us, the amount provided for expenses for a province election was increased from £500 to £1,000, and surely some increase should take place in the amounts provided for the medical care of an injured worker.

Not enough money is allowed by the legislation to meet all the expenses incurred in looking after such cases. One of the difficulties under the Act is the provision of £100 in a lump sum to cover all hospitalisation. My amendment suggests that the easiest way to overcome this trouble would be to spread the payments provided for medical and hospital expenses. By recent legislation, New South Wales has provided a sum of £750 for medical and surgical treatment and £150 for hospital treatment, with a proviso that the board can increase those amounts in cases where it is considered necessary. We are not asking for that. What we are asking for is that the medical expenses be limited to £75, including hearing aids, etc., and that £100 be provided for hospitalisation with the proviso that the board provide another £50 if necessary. I also propose to include a provision for the payment of amounts, with a maximum of £50, for ambulance charges.

If we are to adopt our hospital plan as we visualise it shall be, the key centre for medical and surgical treatment in the State for some years to come will have to be the Royal Perth Hospital. It may be necessary to bring a man a long distance, especially from the mining areas, to Perth, for adequate treatment. I suggest that the maximum sum allowed for the transport of a man to hospital should be £25. That should adequately cover the cost of flying a patient from a distant part of the State. In the main, those are the matters I would like to see provided for in the Bill. The rest of it is designed to increase the amounts to be paid to an injured worker.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Minister for Transport in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—Section 5 amended:

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

That in line 1 of paragraph (b), after the word "adding," the word "after" be struck out, and the word "before" inserted in lieu.

This is to alter the term "specialist" to "consultant," as I mentioned in my second reading speech. It is necessary to insert the word "before" in lieu of the word I suggest be struck out because the term will have to go higher up in the definitions.

Hon. H. HEARN: I hope the Committee will not agree to the amendment. We have studied this proposition of changing the name from "specialist" to "consultant" in the associations with which I work. It is considered that the net result of the amendment will be that, in many cases, under the employers' liability provisions, we would have to pay two doctors instead of one.

Hon. J. G. HISLOP: I rise at once to protest against this sort of thing being said, and I am surprised at a man like Mr. Hearn suggesting it.

Hon. H. Hearn: I have said it.

Hon. J. G. HISLOP: It astonishes me that Mr. Hearn could make such a statement. To me it is most reprehensible. To say that two doctors can get on the telephone and call that a consultation so that more money can be charged is quite wrong. If members will read the definition with the amendments I suggest, they will see that the man who is to be regarded as a consultant must have made a special study of some particular branch or branches of his profession, must be recognised by the Medical Board as practising in that respect in a major degree, and must have been consulted by registered medical practitioners in the normal course of his practice. To suggest that a man of that type would do what Mr. Hearn said, is a libel on the profession.

Hon. L. CRAIG: You have merely replaced the word "specialist" with the word "consultant," with the addition of the few words you have mentioned.

Hon. J. G. HISLOP: That is so, but I have included reference to branches of the profession because, for instance, he may have practised medicine and surgery together. He might be a gynaecologist and be a specialist in obstetrics as well. I can see no ground whatever for the assertion that two men would consult by 'phone and it would mean double costs.

The MINISTER FOR TRANSPORT: I oppose the amendment. It seems to me that Dr. Hislop desires to give to the name "consultant" a meaning that it does not possess. As for the question of libel, Clause 10 specifically covers that position. The dictionary meaning of "consult" is "to ask advice or to take counsel together." That could apply to any medical men and not necessarily to specialists with high qualifications.

The Medical Board is prepared to allow fees to be paid to specialists that it recognises and registers as such. If the name "consultant" were to be substituted, the position would be much more open and a greater number of doctors would receive specialist's fees than is contemplated. There is something in the fear of Mr. Hearn, who represents a branch of the community that will have to pay the fees, and he is entitled to know what the position will be. I can see no objection to the clause as it stands.

Hon. H. S. W. PARKER: I agree with Dr. Hislop and disagree with the Minister who said that the board would know exactly where it stood under the clause. That is exactly what it will not know. A young man may come here and put up a brass plate describing himself as a specialist, and no one can gainsay it.

The Minister for Transport: Would he be recognised by the Medical Board?

Hon. H. S. W. PARKER: The board dare not refuse to recognise him. What right would the board have to do so?

Hon. H. Hearn: Would it recognise a man as a consultant?

Hon. H. S. W. PARKER: I will come to that. A young man might come here, put up his brass plate setting out that he is a specialist and, in ordinary parlance, he is accepted by the public as a specialist. He is not a specialist at all.

The Minister for Transport: The board could refuse to recognise him as a specialist for the purpose of the Act.

Hon. H. S. W. PARKER: If it did that and the young man consulted me, I would immediately institute proceedings and force the board to recognise him. Who is to say the man is not a specialist?

Hon. H. Hearn: Who is to say he is?

Hon. H. S. W. PARKER: Members can see any number of plates along the Terrace setting out that various people are specialists in one or other branch of medicine. It all depends upon the point of view. One man may be regarded by some people as having a splendid record, while other people may regard him in exactly an opposite light. What is a specialist?

The Minister for Transport: Is it not more desirable that the board shall select a qualified specialist?

Hon. H. S. W. PARKER: Is it not desirable that we should have greater protection than that? Dr. Hislop's amendment provides excellent protection. A consultant need not be a specialist. The word "specialist" conveys a certain meaning. From the University point of view, there is no such thing as a specialist. There is a man who specialises in a particular branch of medicine but he is not necessarily a specialist.

Hon. L. Craig: The Bill says "and is recognised."

Hon. H. S. W. PARKER: I think we could read into that "and must be recognised." The amendment provides that a specialist shall be called a consultant and he is the person who is consulted by medical practitioners in the course of business. There is a far greater protection by having "consultant" in the definition.

Hon. L. Craig: I think this is buck-passing.

Hon. H. S. W. PARKER: It is common amongst laymen to think that professional men pass the buck, but it is the professional men they consult when in difficulties.

Hon. L. Craig: Let us consult the Medical Board to find out. The Medical Board is trying to pass the buck.

Hon. H. S. W. PARKER: We do not need the Medical Board. If a medical practitioner consults a man, he is a consultant and will get a consultant's fee. A specialist does not have any particular degree. I have known people with the very highest degrees who have never practised; but they can set up a brass plate and call themselves specialists at any time. I think the Committee would be very wise to accept Dr. Hislop's suggestion.

Hon. L. CRAIG: It seems to me that the Medical Board is in some way afraid to accept responsibility by saying, "We will recognise this man".

Hon. J. G. Hislop: You know that the Medical Board has never been consulted about this?

Hon. L. CRAIG: The idea is to consult the board.

Hon. J. G. Hislop: They have not been asked to frame anything in this Bill.

Hon. L. CRAIG: All this word "specialist" means is that the man is qualified. I can understand insurance people saying to the Medical Board, "Never mind his degrees. Do you recognise him as a specialist in a particular branch of medicine?" If the board says "Yes," that is all that is required. I do not think there is anything wrong with that. The board is asked to give an answer when requested.

Hon. J. G. Hislop: It will still have to say that under my amendment.

Hon. L. CRAIG: I have no doubt there are good specialists who have no special degrees; but through long practice and acceptance by the medical profession, they become recognised as specialists in a particular branch. The members of the board would say, when consulted, "Yes, we recognise him as a specialist."

Hon. H. S. W. Parker: How could they refuse?

Hon. L. CRAIG: Never mind that. This Bill protects the board. It should accept the responsibility of saying, "Yes, the board recognises this man."

Hon. J. G. HISLOP: In order to allay any fears, I want to assure those associated with underwriters and insurance companies that I am trying to make the way easy. I am not trying to put anything over insurance companies or make them pay double or treble, but only to pay the right amount to the right people. Some years ago we gave the Medical Board the order to form a list of specialists. The board took three years to make up its mind how to frame regulations; and having done so, it was in such a tangle that the whole profession said, "This can never exist", and asked me to move for the disallowance of the regulations. Ultimately the regulations were declared null and void.

In ordinary practice, there are men who are specialists; and while they have cases referred to them, they can also be seen by members of the public. But in workers' compensation cases, the workers first of all go to their general practitioners who refer them to consultants. A consultant referred to may do specialist work and so on, but I can assure the companies that they would be more adequately protected if they allowed the B.M.A. to use the word "consultant."

We had meeting after meeting about this matter, and this is an offer to the insurance companies that will protect them. There seems to have been some extraordinary method adopted in framing the Bill. Mr. Craig spoke about the Medical Board passing the buck. But the board had not the faintest knowledge of this.

Hon. L. Craig: But the board is not willing to recognise on paper what it calls a specialist.

Hon. J. G. HISLOP: Because it cannot do so. This place disallowed the regulations.

Hon. L. Craig: At the request of the board.

Hon. J. G. HISLOP: Not at the request of the board.

Hon. L. Craig: Through you.

Hon. J. G. HISLOP: No, I had nothing whatever to do with the board. It was the profession outside. If we cannot form a list of specialists for ordinary working practice, how can we expect to be able to give a list of specialists in connection with the Workers' Compensation Act Amendment Bill? If the companies do not accept this amendment, they will regret it afterwards. They will be covered by the inclusion of this word "consultant" in a way which does not apply now. Our honesty of purpose has been questioned.

Hon. L. Craig: No.

Hon. J. G. HISLOP: The Minister got as far as stating that there had been difficulties in connection with this matter in Kalgoorlie. He did not say that the disputes committee had ruled against the men in Kalgoorlie and given a favourable

finding to the insurance company, because it considered that was the honest thing to do.

Hon. L. Craig: That is what is wanted. It said "No."

Hon. J. G. HISLOP: Not the Medical Board, but the B.M.A. and the disputes committee. We ruled what should be done and it was agreed by the company that the fee fixed for consultation work in Kalgoorlie was an honest fee for the work done. The final procedure was almost like Gilbert and Sullivan. I was rung up on a Saturday night and asked whether I could attend an urgent meeting on the Sunday morning at the B.M.A. office because there had been a call from the Underwriters' Association which wanted a list of specialists as quickly as possible.

We met on Sunday morning and wanted to know what it was all about. By Tuesday afternoon we were told that the Bill was drafted. When it comes to a question of honesty of purpose one is inclined to wonder what was at the back of all the hurry. This specialist clause was inserted in the Bill, and not even the Medical Board saw it. It was not even given to the B.M.A., and the association was not given time to produce a statement.

Nevertheless we are making this offer and think this is the correct approach to the problem. If the companies accept the word "consultant" they will be saved an awful lot of bother. If there was not money attached to this, it would be accepted quite simply; but there is a fear in the minds of those who represent the insurance companies that this will cost them considerably more than if the word "specialist" was used. On the contrary, however, this amendment will protect them in a way the other definition will not do.

The MINISTER FOR TRANSPORT: I am still unconvinced by the arguments advanced by Dr. Hislop. I believe the words "specialist" and "consultant" have the meanings the dictionary ascribes to them. Dr. Hislop spoke about the liability of the Medical Board refusing or not refusing to define what a specialist is. The powers are set out in Section 29 of the original Act.

Hon. J. G. Hislop: I have not queried the right of the Medical Board.

The MINISTER FOR TRANSPORT: The Medical Board is appointed, and if the Bill is passed those who desire to be registered as specialists and so be able to claim the fees of specialists can make application to the board.

Hon. N. E. Baxter: Will they have to submit any reasons for calling themselves specialists?

The MINISTER FOR TRANSPORT: The board can be trusted to accept or reject their applications. The question of

fees arises, and the term "consultant" does leave the way wide open to those who are really not qualified as specialists to claim specialist fees.

Hon. J. G. HISLOP: I ask the Committee not to believe the Minister. The word "consultant" will not be open to abuse. It will not leave the way open to people not properly qualified to get the fees. If the Minister thinks the word "specialist" is sufficient, I cannot help it. A consultant must be consulted in his normal practice by his colleagues, and be recognised by the Medical Board as a person practising in that way in a major degree.

Hon. H. K. WATSON: I subscribe to the principle of—Shakespeare for the mind, the Bible for the soul and a dictionary to settle arguments. I would like the Minister to read the dictionary definition of "consultant" and "specialist" for my benefit.

The MINISTER FOR TRANSPORT: The dictionary definitions I have are as follows:—

Consult: To ask advice of; to take counsel together.

Consultant: One who consults.

Specialists: One who devotes himself to a particular branch of a profession.

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

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

Ayes.

Hon. G. Bennetts	Hon. W. R. Hall
Hon. R. J. Boyten	Hon. E. M. Heenan
Hon. J. Cunningham	Hon. J. G. Hislop
Hon. E. M. Davies	Hon. H. S. W. Parker
Hon. G. Fraser	Hon. H. C. Strickland
Hon. E. H. Gray	Hon. A. R. Jones

(Teller.)

Noes.

Hon. N. E. Baxter	Hon. A. L. Loton
Hon. R. M. Forrest	Hon. J. Murray
Hon. H. Hearn	Hon. C. H. Simpson
Hon. C. H. Henning	Hon. J. McI. Thomson
Hon. Sir Chas. Latham	Hon. H. K. Watson
Hon. L. a. Logan	Hon. L. Craig

(Teller.)

The CHAIRMAN: The voting being even, the question is resolved in the negative.

Amendment thus negatived.

Hon. J. G. HISLOP: It will be futile to proceed with my other amendments.

Clause put and passed.

Clause 5—Section 7 amended:

Hon. H. HEARN: For the reasons I outlined in my speech on the second reading, I ask the Committee to vote against the clause.

Hon. H. K. WATSON: I shall vote against the clause, which seeks to give protection to an employee whilst travelling to and from work. An accident that occurs to a person after he has left his employment

is his own affair. This position would be largely covered by third party insurance. Persons travelling by motorcar or omnibus would be so covered.

Hon. G. BENNETTS: I hope the Committee will agree to the clause. A similar provision is in the Commonwealth Railways Act. The employee has to travel the nearest way to work, and if he diverts from it he is not covered. Mr. Watson mentioned third party insurance. Some workers walk to work and others travel by bicycle. Some run to work in order to give the boss a fair go. Members want to penalise that man who is trying to do his best.

Hon. G. FRASER: I hope members will agree to the clause. The Bill is an attempt by the Government to bring the Workers' Compensation Act in this State somewhere into line with many of the Eastern States Acts, which, I believe, include this provision. The worker is justly entitled to this protection. Why does he make this journey? It is to perform work for the employer.

Hon. N. E. Baxter: To make a living for himself.

Hon. G. FRASER: That is a secondary consideration. If it were not for his employment, he would not make the journey, so why should he not be covered? He may or may not be covered by third party insurance. Do not let us lag behind everyone else in this matter. Last evening Mr. Craig said that the social legislation of Australia is well up with if not in front of that of other countries. This has been agreed to by a Liberal Government, and surely members in this Chamber will agree to it too. All the safeguards required are in the clause and if the worker deviates from his usual method of going to and from work he is prevented from being able to obtain compensation.

Hon. L. CRAIG: We have discussed this on previous occasions and we have always been strongly opposed to it. We have a strong objection to the employer paying for an accident occurring to a worker who is on his way to and from work. Industry has enough burdens in these days without adding to them. It has accepted the right of paying while the worker is working under the direction of the employer, but this is going too far and we would be foolish to impose this added burden.

Hon. H. S. W. PARKER: I oppose the clause because I believe that all members of the community should share and share alike in the ordinary dangers of travelling in the streets. We all run that risk, and why should one particular section of the community and not the other receive special workers' compensation? If a worker is injured on his way to work through the carelessness of someone else, he can take action like any other person. There are many people who are not classified as workers, but they come within the scope

of the Act. There are people who work as jobbing gardeners and so on, and they are not insured.

Hon. E. M. Davies: They can take out a policy.

Hon. H. S. W. PARKER: That is the answer; they are getting sufficient money to take out policies like any other person. Why should the worker who rushes out like Mr. Bennett said, and jumps on his motorcycle at the last minute, goes hell for leather on his way to work and then meets with an accident, be compensated?

Hon. G. Bennetts: Not on a motorcycle.

Hon. H. S. W. PARKER: The majority of them have motorcycles.

Hon. H. Hearn: Motorcars.

Hon. H. S. W. PARKER: Why should industry pay for the accidents that a man may have going to work on a motorcycle?

Hon. E. M. HEENAN: I support the clause and I take exception to Mr. Parker's remarks. We want to debate the merits of this case and we do not want to be misled. If someone, to use his own words, jumps on his motorbike and goes hell for leather to save his boss's time and in doing so meets with an accident, I can assure members that under the proposed amendment he will not get compensation.

Hon. L. Craig: He will if that is his usual method of travelling to work.

Hon. E. M. HEENAN: The hon. member will find that that is not so if he takes the trouble to read the clause. Mr. Parker is misleading the Committee by making that statement.

Hon. H. S. W. Parker: Well, leave out the "hell" part of it.

Hon. E. M. HEENAN: As one who has had considerable experience on workers' compensation cases, and with legal training, I can assure members that such a person, or anyone like him, who does foolish and irresponsible things like that will not get compensation. There are ample safeguards in the clause.

Hon. J. Murray: And ample loopholes.

Hon. E. M. HEENAN: I hope the hon. member will get up and tell us about them because I cannot see them. Mr. Craig said that we have been opposing this throughout the years, but I cannot see why we should continue to do so. Are we never to get to the stage that they have reached in other States? Must we never advance to the stage where workers are insured—

Hon. L. Craig: From the cradle to the grave.

Hon. E. M. HEENAN: That is typical of Mr. Craig's extravagant ultra-conservative viewpoint on this topic. At present workers are covered from the time they commence work until they finish.

Hon. L. Craig: Is not that fair?

Hon. E. M. HEENAN: There are a lot of people in this State and in other States too, who believe that we should progress and extend benefits to a worker from the time he leaves home until he returns. If a worker leaves his home and rides a bike, for instance, and has an accident because of a slippery road, or something like that, he gets no compensation.

Hon. L. Craig: Nor does anybody else. He can insure himself against that.

Hon. E. M. HEENAN: We are dealing with workers and in these days the great majority of them cannot afford the luxury of accident policies. Another member said that that sort of worker should be covered by third party insurance. Those who put forward that argument know very well that the great majority of accidents that occur to workers when they are going to and from work are not covered by third party insurance. I respect Mr. Hearn's viewpoint and this probably will be an added burden on industry, but we cannot stand still. We must progress and surely industry can stand this slight extra burden. I commend the Government for bringing it forward on this occasion and I hope it will succeed in becoming a part of the Act.

The CHAIRMAN: I do not want to lay myself open to a charge of tedious repetition, but I earnestly ask members, in the Committee stage, to make shorter speeches. The Minister has just handed me a list and we have ten further Bills to consider before the sitting closes.

Hon. E. M. HEENAN: I rise on a point of explanation, Mr. Chairman. I have been in the Chamber all the afternoon and I have heard you make that comment on two occasions and on each occasion it has been after I have spoken. I have listened to a great number of other speeches during today's sitting and you have not thought fit to make a similar remark after those speakers have resumed their seats. The remark has been made on two occasions after I have spoken, and it is something which I think I am entitled to resent.

The CHAIRMAN: I am sorry if the hon. member resents the remark, but I did earnestly request all members to shorten the length of their speeches in Committee and I feel I must suggest that he has been the greatest offender in this matter.

Hon. Sir CHARLES LATHAM: I have listened to your remarks, Mr. Chairman. If the Government brings down important Bill, such as the one we are discussing at the moment in the last few hours of the session, it is difficult for us to grasp what we are voting for. This legislation is important to the people employed in industry and it will also be a charge against industry if the Bill is

passed. I have given great consideration to it and at the present moment I think it is very inopportune to impose this burden on industry.

We should do all we can to relieve the burden on industry. It is open to great abuse and there is no point in saying that it is not. I will give an instance of a man who was employed for 14 days. He did not attend work and the doctor was treating him for a bad back. At that stage he was entitled to sick pay and got it. After he had received it he informed the doctor that he had slipped in Barrack-st. and hurt his back and was eligible for compensation.

These back cases are very difficult to determine and it cost the insurance company £240 for this man. I do agree that there are men who are employed for a long period and who do not get hurt when going to and from their place of work. If the Government wants this legislation it must introduce it when members can consider it more fully. As far as I am concerned, it has not been digested and I cannot support it.

Hon. E. M. DAVIES: I support the clause. It is nothing new and it has been tried over a long period, as has been explained. It has been in existence for years in connection with industries other than those in Western Australia. If it is such a great charge on industry, it seems remarkable that employers in the Eastern States have not raised any objection to it and that it should be part and parcel of their compensation Acts.

I believed that employers in Western Australia were more humane than those of the Eastern States and that industrial relations between employer and employee were more cordial here than in other parts of Australia. So it was with great regret that I listened tonight to the statements made by those who represent employers' organisations. I am sure there are quite a number of employers who, if they were allowed to express their own opinions, would not raise any serious objection to the Bill.

When he was speaking, Mr. Parker said that gardeners and people who did job work were not covered by workers' compensation, and I interjected that they could take out an insurance policy. He said, "That is the answer". It is the answer and I make no apology for interjecting. The man who does jobbing work charges so much for labour and so much for overhead and pays for his insurance in that manner.

I hope the Committee will be humane and recognise that it is necessary for a person to go to work to obtain the wherewithal for the maintenance of his family. We know of cases where men have lost

their lives going to or from work, but the charge is eventually passed on to the consumer in the long run.

Hon. A. R. JONES: I do not wish to register a silent vote on this matter. I have not learnt anything from the debate which will make me change my mind and support the clause. It is argued that men going to work should be covered by insurance because if they are not actually working they are about to do so. The same can be said about a private individual who owns a business. It has been said that a person loses his life while going to work. A person sometimes loses his life on the football field. I admit that we run greater risk in these modern times and that our lives are more in danger, but I believe that we should guard against that risk by taking out a policy. I cannot support the clause.

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

Ayes	....	....	....	10
Noes	....	....	....	15
Majority against				5

Ayes.

Hon. G. Bennetts	Hon. W. R. Hall
Hon. R. J. Boylen	Hon. E. M. Heenan
Hon. E. M. Davies	Hon. C. H. Simpson
Hon. G. Fraser	Hon. H. C. Strickland
Hon. E. H. Gray	Hon. J. Cunningham (Teller.)

Noes

Hon. N. E. Baxter	Hon. A. L. Loton
Hon. L. Craig	Hon. J. Murray
Hon. R. M. Forrest	Hon. H. S. W. Parker
Hon. H. Hearn	Hon. H. L. Roche
Hon. J. G. Hislop	Hon. J. McI. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. C. H. Henning (Teller.)
Hon. L. A. Logan	

Clause thus negatived.

Clause 6—Section 10 amended.

The MINISTER FOR TRANSPORT:
I move an amendment—

That in line 1 of paragraph (a) the word "two" be struck out and the word "to" inserted in lieu.

Amendment put and passed.

The MINISTER FOR TRANSPORT:
I move an amendment—

That in line 3 of paragraph (a) the word "ceases" be struck out and the word "cease" inserted in lieu.

Amendment put and passed.

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

That at the end of the clause the following words be added:—

Notwithstanding anything contained in the preceding paragraphs of this section, the board on application by the worker shall decide whether the worker is entitled to have hernia accepted as an injury

within the meaning of the Act, and the decision of the board shall be final.

We should decide whether the acceptance of hernia as an injury under the Act should be left in the hands of the board. If it were left to the board, which is accustomed to making decisions, it would be far more satisfactory. I feel that we would be doing the workers a great injustice if we did not make provision of the sort.

The MINISTER FOR TRANSPORT: We have no objection to the intention behind the amendment or to the actual amendment, except that it is redundant in that it is already covered by the Act.

Hon. J. G. HISLOP: I am pleased that the amendment is acceptable. We as a profession have received information from the board that it is strictly limited in this respect, and indeed the Minister, when moving the second reading, stated that the powers of the board were restricted.

The Minister for Transport: I think that was explained.

Hon. J. G. HISLOP: If there is no objection to the amendment, we should include it because to do so would be only fair to the workers.

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

Clauses 7 to 12—agreed to.

Clause 13—First Schedule, Clause 1 amended:

Hon. H. K. WATSON: I move an amendment—

That paragraph (c) be struck out. This is a new departure. The lump sum now proposed is £1,750 and when an injured worker has drawn weekly amounts, the total of those amounts will be deductible from the lump sum. If he had drawn £1,650 up to the time of his death, the balance remaining would be £100, but the proposal now is that the balance shall be not less than £500. Here again we are asked to place on industry the burden of a social service that should really be an obligation of the Social Services Department of the Commonwealth.

The MINISTER FOR TRANSPORT: This paragraph was inserted in another place. By the Act of 1948, provision for dependants in Southern European countries was deleted because no reciprocal arrangement could be made with those countries. Approaches were made but produced no result. In effect, therefore, this amendment would apply to British dependants, and the proposal is that where a worker has received a considerable sum in weekly payments and then dies, the amount payable to the widow shall be not less than £500. I submit the provision as it has been presented from another place.

Hon. G. FRASER: The amendment should be defeated. Admittedly this is a new provision, but the amount would be

paid to the dependants of a person who had been ill for a long time and had absorbed the greater proportion of the compensation to which he was entitled in weekly payments. Surely it is not asking too much that industry should bear the burden of paying £500 to the dependants of the deceased worker!

Hon. J. G. HISLOP: I appeal to the employers to be generous in this matter and make provision to meet what is a very difficult position. If the amendment were agreed to, its effect would be that the family of a worker would be better off if he died soon after receiving his injury, because they would then be left with some money with which to carry on, whereas if he succumbed after a long illness, most of it probably spent in his own home, his dependants might receive very little. It would take about 2½ years of illness, even at weekly payments of £10 per week, for the injured worker to draw most of the £1,250, and during that time the strain of his illness on the household would be very great.

Hon. H. HEARN: I am glad to hear Dr. Hislop's remarks and know that he recognises it is the employers who foot the bill, but I would point out that the injured worker who dies might have a grandmother to whom he has paid £1 per week. In that case, would we have to pay £500 to the grandmother, as well as to the widow? The provision in the Bill does not specify that that payment shall be made to the widow only. In the circumstances, we will not press this amendment but will move another amendment specifying that the provision is to apply only to the widow and dependent children.

The Minister for Transport: I will be prepared to accept an amendment of that sort.

Hon. H. K. WATSON: I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Sitting suspended from 11.32 to 12.7 a.m. (Saturday).

Hon. H. HEARN: I move an amendment—

That in line 5 of paragraph (c) the word "dependants" be struck out, with a view to inserting the words "dependent widow" in lieu.

Hon. E. M. HEENAN: There are many instances where single men are the sole support of their mothers. I do not think Mr. Hearn would desire to exclude them.

Hon. H. HEARN: I will agree to include mothers.

Hon. H. C. STRICKLAND: There are others who may be the sole support of their families. It might be a son or a daughter. I think they should be included too.

Hon. H. HEARN: I am sorry my intention is misunderstood. I was prepared to oppose the whole clause and I think the majority of members would be prepared to reject it. We are prepared to accept the responsibility of a dependent widow and I have agreed to accept similar responsibility for a mother. If we are to be called upon to go beyond that I would be prepared to debate the whole question and withdraw my amendment.

Amendment put and passed.

Hon. H. HEARN: I move—

That the words "dependent widow or mother" be inserted in lieu of the word struck out.

Amendment put and passed.

Hon. G. FRASER: I move an amendment—

That in line 3 of paragraph (f) the word "eight" be struck out and the word "twelve" inserted in lieu.

My object is to increase the maximum amount payable from £8 to £12. The proposal in the Bill is that the payment shall represent 66⅓rds. of the worker's earnings or £8, whichever is the lesser. To increase the amount to £12 may seem a good deal but it merely represents £8 for the worker, 30s. for the dependent wife and 10s. for each child up to a maximum of five children.

Hon. L. CRAIG: If £12 represents 66⅓rds. of a man's earnings he must be getting a big wage!

Hon. G. FRASER: Many men receive £17 or £18 a week and the basic wage is over £10 a week. On the basis of £8 a week the compensation payment is lagging behind the basic wage.

The MINISTER FOR TRANSPORT: I hope the Committee will not accept the amendment. A similar proposal was considered in another place and rejected. If we were to agree to the amendment it would be again rejected in another place.

Hon. H. HEARN: I hope the amendment will not be agreed to. The Bill as it stands will place the workers' compensation legislation in this State well to the fore, and if we were to agree to the amendment it might well prove to have a harmful effect on industry.

Hon. G. FRASER: An increase to £12 would not represent very much and members will appreciate what a maximum payment today would represent.

Hon. R. M. Forrest: If you had to pay it, it might.

Hon. G. FRASER: I was hoping that somebody would be generous and compromise by suggesting a maximum payment of £10, which I would have been prepared to accept.

Amendment put and negatived.

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

That the following new paragraph be inserted:—

- (i) deleting the words "first aid and ambulance or other" in lines 5 and 6 of paragraph (c) of the proviso.

My aim in this and subsequent amendments will be to provide that the amount allowable for medical fees shall be £75; the aggregate for hospitals £100, with the existing £50 to be allotted at the discretion of the board; and £25 as the aggregate for ambulance transport. Previously the total amount allowable was £100, which covered everything.

Another place raised the amount to £150, and I am asking that a little more be granted. I think the profession would be well paid with a maximum of £75. I am concerned that the worker shall have sufficient money to enable him to be admitted to a private hospital. The cost of hospitalisation has increased so tremendously that the worker has had little chance of gaining admission to other than a ward in a public hospital.

The MINISTER FOR TRANSPORT: There is no objection to this amendment, subject to one proviso. This represents the total amount which the worker will receive to cover certain expenses. The amount at present is £150 and it is proposed to raise that to £200. There is a provision in the Act, however, which it would be necessary to delete; otherwise the amount could be £250. The words to be deleted are "except when the board is of the opinion, having regard to the circumstances of the case, that such amount is inadequate, in which event the board may allow such additional amount as it deems necessary but not exceeding £50." I understand the hon. member is aware of the need for deleting these words and is agreeable.

Hon. H. HEARN: I think the Committee should know just what is being paid in the Eastern States. In New South Wales, £100 is allowed. By the time we are finished, we will have doubled that amount. I am glad the Minister has referred to the deletion of the discretionary powers, because what was hoped would be discretionary has been a fact in pretty well every case. I still think we are going to be more generous here and that our figure will be 100 per cent. higher than in any other State.

Hon. J. G. HISLOP: I must ask Mr. Hearn not to delude the Committee. The statement he made about the cost in New South Wales is quite wrong. The amounts allowed there are: For medical expenses, £150; for hospital expenses, £150; and for ambulance, £25 and there is no limit to the amount the board can add at its dis-

cretion. The New South Wales Act contains the figures to which I have referred. That legislation also has a provision that the fees paid to the medical profession shall be adjudged according to the fees that are paid outside in ordinary general practice.

Our fees have always been fixed on a basis of compromise with the insurers and have never actually equalled the rates paid by the ordinary person receiving medical attention. Therefore, what we have asked for is considerably less than what is now regarded as the equitable amount in New South Wales. I have never made any suggestion that I would be agreeable to take the £50 out. I have said already that I think the profession is very well paid with a maximum of £75. The man I am worried about is the worker himself, because even £100 does not go very far in meeting hospital expenses. I would add that this is not used in all cases, but only for seriously injured men.

Amendment put and passed.

The MINISTER FOR TRANSPORT: I want to move for the deletion of the words in the Act to which I previously referred. It was really contingent upon their deletion that the hon member's amendment was accepted.

The CHAIRMAN: The amendment will have to be properly drafted, so I suggest that we agree to the clause as amended up to date and recommit the Bill later.

Clause, as amended, agreed to.

Clause 14:

The MINISTER FOR TRANSPORT: I ask members to vote against this clause. In view of the protection which the Act now gives to the worker, this amendment does not appear to be required for the reason that it is not necessary for a worker to obtain a lump sum settlement until such time as his medical adviser is satisfied there is little prospect of further deterioration in the worker's condition. In some cases settlements are postponed for one or two years, and the actual time of settlement is in the hands of the worker. Having decided, on the advice given to him by his medical adviser, that the time has arrived for settlement of his claim, he may, under Clause 15 of the First Schedule—page 67 of the Act—obtain the amount by signing an agreement, or by going to the Workers' Compensation Board if he does not desire to sign such agreement.

Subparagraph (d) (i) of the proviso to Subclause (1) of Clause 15 of the First Schedule provides that every memorandum of agreement must be examined by the Registrar and if, amongst other reasons, he is not satisfied regarding the adequacy of the sum appearing therein, he can refuse to register the agreement and the matter may be referred to the board for determination. Even if the agreement has been

signed, the worker can still apply to have it set aside within six months of the date of signing if his condition should further deteriorate. Regarding First Schedule injuries, such as injured backs, heart conditions etc., it is almost certain that the worker, having exhausted the lump sum payment received, would make application to the board for further payments of weekly compensation, or perhaps an additional lump sum.

Another disturbing factor is that it will be most difficult for insurers to gauge their liability as obviously it would be continuous and could involve the payment of very substantial sums. The premiums are now fixed by the premium rates committee on actual experience, which embodies consideration of outstanding claims, and it would be most difficult, if not impossible, to determine outstanding claims with anything approaching accuracy if this amending clause is agreed to. A man suffering an injury may claim a lump sum payment in settlement and after a while be re-engaged and then claim he is suffering from an injury, which could be presumed was the same injury, in respect of which he could draw further compensation payments. In the first instance he can make a composition with the employer, but it has to be examined by the Registrar to see that the worker is protected, so there is little danger of his accepting a sum below the amount to which he is entitled. The Bill would make it possible for him to present what, in reality, would be a second claim, and that is why this clause is resisted.

Hon. G. FRASER: I am not satisfied with the Minister's explanation. I am inclined to think there is a bit of pique about it. Is it because a worker, after accepting a lump sum payment could go back on to the Act, or is it because the clause is redundant? I would not agree to the clause going out if it is required. I ask the Minister to postpone it so that we can have a good look at it.

The Minister for Transport: I will agree to that.

Progress reported till a later stage of this sitting.

BILL—TOWN PLANNING AND DEVELOPMENT ACT AMENDMENT.

Second Reading—Amendment "Three months", Defeated.

Debate resumed from the previous day.

HON. H. HEARN (Metropolitan) [12.41]: At twenty minutes to one in the morning, in the last few hours of the session, the House is asked to deal with this important measure. I want to say that I believe it is necessary that we should have such an Act, but at the same time I strongly protest at having to settle down at this time to consider the Bill which will, for good or ill, make all the difference to the State of Western Australia.

From the time we commenced to sit we have dealt with small Bills of practically no importance but now, on the last day, we have had to deal with three major measures. It is time the House commenced to assert its rights. Rather than that I should address members on the Bill, I am strongly tempted to suggest that it be read three months hence. If there is any support for that idea, I will move in that direction.

Members: Move it.

Hon. H. HEARN: I move an amendment—

That the word "now" be struck out and the words "this day three months" be added.

HON. G. FRASER (West—on amendment) [12.42]: It might be said that we are throwing the Bill out because it is the last night of the session, and that is probably a good reason for throwing it out, but I think there is more reason than even that. We should justify any action we take in this direction, and if members read the Bill they will see that we are justified because it contains clauses which will add expenditure to some of the local governing bodies in the State. We should have time to consult them to get their point of view.

Point of Order.

Hon. H. S. W. Parker: Can the motion "That the Bill be read this day three months" be discussed?

The President: Yes. It comes under Standing Order No. 183 which provides—

Amendment may be moved to such question by leaving out the word "now" and adding the words "this day six months"; or the previous question may be moved. In either case a vote in the affirmative shall finally dispose of the Bill.

The hon. member moved that the Bill shall be read this day three months. I rule it is quite open for the amendment to be discussed.

Debate Resumed.

Hon. G. FRASER: I wish only to add a few more words to what I have said. The local authorities, or their districts, will have to bear much of the cost of the town planning authority, if it is established, because the Bill provides that they can raise a rate of 1d., and any further money by way of loans, etc. But these provisions do not get over the difficulty of having to supply the money. I support the amendment.

HON. L. A. LOGAN (Midland—on amendment [12.44]: I support the amendment. I think at this stage it would be impossible for any of us to give proper

consideration to the measure. Irrespective of whether we favour it or not, the only thing to do is to support the amendment. Having waited more than 50 years for something like this to be put on the statute book, it will not hurt to wait another six or 12 months. I do not think the Government, or anyone else, will be hurt if we agree that the Bill be read in three months' time. We have a lot of work to be done, and I suggest the best course to adopt is to agree to the amendment.

HON. E. M. DAVIES (West—on amendment) [12.45]: I intend to oppose the amendment, although I have no desire to debate the Bill at this time of the morning because I feel, like other members, that it is an important measure and needs a good deal of attention. This Bill will form the basis for a town-planning scheme that will be used for many years to come and I think this amendment has been moved more in a spirit of vindictiveness because of the late arrival of the measure.

I think it would be wrong to kill the Bill and then lose a certain amount of time by compelling the Government to bring down another measure next session. I was under the impression that it would be possible for it to be dealt with in another way so that consideration might be given to various clauses by a Select Committee during the recess. A report could then be submitted to the House and consideration of the Bill continued next session, after all the information had been obtained from the bodies concerned. Therefore, I must oppose the move for killing the Bill because I think it is too important, and the sooner we are able to do something with it, the better it will be for all concerned.

HON. L. CRAIG (South-West—on amendment) [12.47]: I do not want to delay the proceedings but there are a few things to be discussed before we put the measure aside until next session. If we agree to this amendment it will be a year before the measure can be implemented.

Hon. L. A. Logan: That will not hurt.

Hon. L. CRAIG: But should we pass it now and discuss the various clauses, rejecting those to which we cannot agree? If we believe in the broad principles of the measure and are willing to accept it on that basis, we will allow the Act to be started on its way.

Hon. N. E. Baxter: There is too much involved.

Hon. L. CRAIG: It can be implemented and next session brought up again and dealt with properly and amended if necessary. I do not know enough about it to say whether it is urgently necessary to appoint the board or not within the next 12 months. I rather think it is, but perhaps metropolitan members could tell us more about it.

I think we should accept the Bill as it is. I have read a report from Mr. Harold Boas for whom I have the highest regard. He has devoted years of study to town planning and has written a note to all of us. I have read it carefully because I know him to be a bright fellow. He has said that the Bill is all right but it wants a few amendments made to it. I think we can accept it because it will let the scheme get started and next year it can be brought up again and we can make any amendments that are necessary.

Hon. L. A. Logan: But this could involve the spending of a lot of money.

Hon. L. CRAIG: I do not think very much will be spent in 12 months. It will take a long time to get such a scheme started, and it will probably be at least 12 months, or maybe two years before anything can be really carried out. I do not think any expenditure will be involved before Parliament meets again.

Hon. L. A. Logan: Put it off until next August.

Hon. L. CRAIG: But the hon. member knows what happens in August and September. I think we could accept this. I do not mind throwing Bills aside but I am loath to lay aside for 12 months an important measure such as this.

HON. J. G. HISLOP (Metropolitan—on amendment) [12.50]: I am torn between lots of things in this matter because a town-planning Bill is urgently needed; but I do not like this particular measure. There are a number of clauses that I think we might well look at before we decide to pass them.

Hon. L. Craig: Are they important?

Hon. J. G. HISLOP: Yes. Let me deal with a few of them. As I see it, and as others who are interested in town planning see it, we will have a metropolitan authority of three persons, and according to this Bill those three persons must have qualifications that are somewhat thin. Their appointment is left more or less to the discretion of the Minister and even the word "experience" does not appear in the matter of their qualifications. Naturally the Minister would appoint people with experience but the setup of the organisation is such that suppose we put a really top-notch world authority into the centre of the three members. The Bill is so arranged that if one of them votes in the negative, the whole subject is dropped.

Hon. L. Craig: The United Nations do that.

Hon. J. G. HISLOP: It sounded a little like the veto; but the veto did not get us anywhere. Most of us who have studied the Bill are of the opinion that one single authority would be better than the three, and if we were to have one person instead of three we could pay to that person what we are prepared to pay to the three. What

would it matter if we paid somebody a retainer of £20,000, or £25,000, so long as we got a first-class scheme upon which we could build?

It seems to me that something big in vision like that must be taken into consideration rather than that we should divide the money up between three people and completely hamstring the central commissioner. Other points arise. The senior commissioner will take the chairmanship of the metropolitan planning authority but as such he will not be able to appoint his own staff without reference to the Minister. If there is any dispute about anything, the Minister becomes the deciding factor. Most of us feel that if this person is to be an eminent authority, his decision on planning should be final.

There are other points in the Bill which are equally important and one of the things we must realise is that so far as the Bill is concerned there appears to be no Government money involved in the scheme at all. If the Government has not some financial authority in the matter, it is possible that it will not have the amount of interest in the decisions that a Government should have.

Point of Order.

Hon. H. Hearn: On a point of order, Mr. President, are we discussing my amendment or can the hon. member make a second reading speech on the Bill?

The President: We are discussing the hon. member's amendment and Dr. Hislop must confine himself to the proposal that the Bill be read this day three months.

Debate Resumed.

Hon. J. G. HISLOP: In that case I say quite frankly that my vote will be against the amendment.

HON. N. E. BAXTER (Central—on amendment) [12.55]: I intend to support the amendment because I think the Bill is too involved to enable us to give it sufficient thought at present. There are two particular clauses in the Bill that I could not possibly accept. They state—

2G (3) Within seven days of a scheme coming into operation the Minister shall cause to be published in the "Gazette" notice of the date on which the scheme came into operation.

2H (1) When the scheme comes into operation it shall be the duty of every local authority whose district is affected by the scheme to implement the scheme within its district, for which purpose such local authority shall be the responsible authority.

(2) If the local authority deems it necessary to borrow money for the purpose of implementing the scheme,

no owners of ratable land under the Municipal Corporations Act, 1906-1947, or resident owners under the Road Districts Act, 1919-1948, shall be entitled to demand a poll as to whether such loan shall be raised.

I do not think that the people who put me in this House would be very pleased if I let something like those provisions go through without reference to them.

THE MINISTER FOR TRANSPORT

(Hon. C. H. Simpson—Midland—on amendment) [12.56]: I hope members will accept the Bill. I agree that it is important and that we could have given more time for its discussion, but I did endeavour to explain it fully when delivering the second reading speech on it. There are many problems associated with town planning on which it is desirable to make a start now. In the opinion of many competent observers they have already been delayed too long and if the Bill is laid aside it will have to be presented again and much valuable time will have been lost. There is much merit in the suggestion of Mr. Craig that we might well accept the Bill and then amend it next session after we have more time to consider it. I oppose the amendment because I would be very sorry to see so much time lost in regard to this work, some of which is undoubtedly of an urgent nature. I ask members to vote against the amendment.

Amendment ("three months") put and a division taken with the following result:—

Ayes	....	....	....	10
Noes	....	....	....	15
				—
Majority against	....	....	....	5
				—

Ayes.

Hon. N. E. Baxter	Hon. L. A. Logan
Hon. G. Bennetts	Hon. J. Murray
Hon. R. M. Forrest	Hon. H. C. Strickland
Hon. H. Hearn	Hon. H. K. Watson
Hon. A. R. Jones	Hon. G. Fraser

(Teller.)

Noes

Hon. R. J. Boylen	Hon. Sir Chas. Latham
Hon. L. Craig	Hon. A. L. Loton
Hon. E. M. Davies	Hon. H. S. W. Parker
Hon. Sir Frank Gibson	Hon. H. L. Roche
Hon. E. H. Gray	Hon. C. H. Simpson
Hon. E. M. Heenan	Hon. J. McI. Thomson
Hon. C. H. Henning	Hon. J. Cunningham
Hon. J. G. Hislop	

(Teller.)

Pair.

Aye.	No.
Hon. W. R. Hall	Hon. F. R. Welsh

Amendment thus negatived.

HON. J. G. HISLOP (Metropolitan) [1.0 a.m.]: I should like to continue the remarks I was making when I spoke to the amendment. One of the issues involved in the Bill is the fact that about 50 per cent. of the money to be expended under its provisions will naturally come from the Perth City Council. From my reading of the Bill, it looks as if any money can be borrowed, with the rates of the City of

Perth as a guarantee. At the end of three years, all the assets belong to the Town Planning Board. Therefore the question of grants that will have to be paid and the financial arrangements that will have to be made with local authorities will need further consideration.

It seems to me reasonable to expect that there should be some Government aid in this measure. I voted against Mr. Hearn's amendment because I believe we want a town-planning Bill of this description. I have thought the matter out very carefully, and I feel that one alternative is to refer this measure to a Select Committee. That Select Committee would not do any town planning; it would only go into the question of what was necessary in the Bill.

A better way for the Government to act in the matter would be to approach a world authority, like Professor Holford, and ask him to come here for three years at a retainer, go into the Act and take over the preparation of plans. We should give him all the staff he wants and let him work out the plan he wishes to develop. We should not bind him down by having subsidiary commissioners who would out-vote him. At the end of that period, after he has finished his work, he would be able to hand over to the local town planning authority, and the work could proceed.

I think we are starting at the wrong end. I believe I am right in suggesting that we approach someone recognised as a world authority, whether it be Professor Holford or anyone else, to come here on a retainer and help us to draw up the requisite legislation and provide the machinery necessary for this work, and then formulate a plan. It was for that reason that I voted against the amendment so that I could put this matter forward. If we fail to pass the Bill now, we might send a message to another place stating that we would like them to refer it to a Select Committee which would go into the matter not only of the appointment of a world-wide authority but of the machinery by which the scheme will work.

HON. SIR CHARLES LATHAM (Central) [1.31]: I support the second reading. I do so because I think Western Australia has a unique position and it will be possible for us to produce one of the prettiest and greatest cities in the Commonwealth. I do not want to see a largely-populated city; that would be a mistake. We know that countries that are most prosperous divide their population, and, from a planning point of view, that is very essential.

Any planner who is appointed will have a great deal of work to do in the metropolitan area, and he has a very fine setting for it. I do not think that anyone who has travelled will disagree with me

when I say that this city has potentialities. So let us make it one of the most beautiful cities that could be found in any part of the world. We have a big coastline and we ought to divert trade to the natural and essential ports, which should be on good, sound planning lines. Albany is only a patchwork at present. There is no plan laid out, or anything else.

Hon. L. Craig: Oh yes, there is.

Hon. Sir CHARLES LATHAM: The terrain figures rather substantially down there, but nevertheless there are possibilities. But there is no planning at all.

Hon. G. Bennetts: Would you suggest making the most of the coast at Esperance?

Hon. Sir CHARLES LATHAM: I would. I think Esperance is a very important place, though it would not be the first place we would go to. But eventually it must be a very important port. Though we have only a handful of people in Western Australia, we have a great country and as long as we are permitted to hold it, we should do something towards discovering its possibilities.

There was, I agree, a diversity of opinion in another place respecting this measure and I also agree that it is an important piece of legislation. My advice is that we should carry the second reading, appoint a Select Committee, not for the purpose of planning but with a view to putting up a Bill that will give us an opportunity of carrying out the desires of the town planning commissioners. If we pass this measure, there will be very little done between now and the beginning of the next session.

We should get the opinions of the people that count, and I think one highly qualified person would be better able to advise Parliament than a commission of a chairman and two laymen. It is a waste of time having two laymen on the commission because the chairman will have to listen to their views when it is likely they will know nothing about the subject. I propose that the Bill should be referred to a joint Select Committee of both Houses with a view to investigating matters dealt with under the Bill, to see if the legislation cannot be made more workable.

HON. E. M. DAVIES (West) [1.7]: I intend to support the second reading of the Bill because I believe this a matter of very great importance not only to the metropolitan area but eventually to the whole of the State, including the ports. There are some clauses in the Bill with which I am not in agreement and if it reaches the Committee stage, it is my intention to move one or two amendments. The Bill provides that the area affected should be 15 miles from the Town Hall,

Perth. To my way of thinking that area is too restricted in the light of future development.

Hon. L. Craig: That is because it was to be extended next year.

Hon. E. M. DAVIES: I am well aware of that, but if we are to have a scheme we want one that will at least cover the metropolitan area—and 15 miles will not do that. In view of the possibility of future developments, I think the area affected should be that within a radius of 25 miles from the Town Hall, Perth. With a 15-mile radius not even all the metropolitan area will be covered; it will not extend to Armadale; it will include portions of Fremantle but will not take into consideration that vast area that will be available for development, particularly for industries. I refer to that area within the boundaries of the Fremantle Road Board.

It also does not take into account the fact that if we go north of Perth as far as Yanchep, there is a large area of country that must be brought into the town-planning scheme. An extensive tract of country there has been taken over by the State Housing Commission for the purpose of establishing a large industrial suburb and that in itself is sufficient reason why the area should be extended from the Perth Town Hall out that way. If I had the opportunity I would table an amendment which would provide for a radius of 25 miles, which in the first place would make it possible to cover many of those areas which we know would come under a metropolitan town-planning scheme.

Then again there are various other propositions that the Government has in mind and which have been considered over a number of years. I refer particularly to the south-of-the-river railway which it will be necessary to take into consideration if we are to plan the metropolitan area. That will be essential in view of the fact that the line will come into Fremantle and traverse the area I have mentioned, which we had hoped would be used for industrial purposes. There is also the possibility—there may be some doubt about it at the present moment—that an oil refinery will be established at Fremantle. So it will be necessary to bring that particular scheme within the scope of the town-planning measure, as we will need to create certain zones for that particular purpose.

Another point to which I wish to refer is that the Bill proposes to create a metropolitan town-planning authority consisting of three persons. In my opinion, that number would be too small and a larger personnel is necessary, seeing that it will be called upon to deal with such an important matter. The qualifications set down for the members of the proposed authority seem to be rather vague, and I agree with other speakers that we should endeavour to induce some eminent town planner to make his services available. In this matter

we should be careful not to start off on the wrong foot, because we shall be setting out to formulate a town-planning scheme that will mean building a larger city and dovetailing certain other towns or suburbs into the scheme. We should at least know exactly what the qualifications of the members of the board will be.

The measure gives no guarantee that the local authorities will have representation, and as they will be called upon to play a very important part in carrying out the decisions of the authority, they should certainly have representation. The Bill provides for the appointment of an executive officer and stipulates that he shall have a knowledge of town planning. I should like to see someone appointed who has more than a knowledge of town planning. No doubt quite a number of people could be found who have a knowledge of it, but it does not follow that any one of them would be suitable for an executive officer. If we are to have an executive officer having only a knowledge of town planning, he would not be as efficient as I should desire the person to be who is to take charge of a town-planning scheme of the magnitude this will eventually assume.

There is another matter for which provision has not been made. The traffic authority plays a very important part in deciding upon roads and highways and I suggest that it should have some representation on the town-planning authority. The Railway Department also comes into the scheme and must play its part, which also would be very important. If we are to have railways traversing certain districts, it will be necessary for that form of transport to be taken into account when the planning is put in hand.

I am pleased that the Bill has been introduced because it is long overdue. There are various local authorities that have endeavoured over a long period to bring a scheme into operation and make provision for the zoning of their districts. Without the assistance of the Government and the establishment of a town-planning authority to lay down the basis of a scheme, it is not much use local authorities endeavouring to formulate schemes of their own. A satisfactory scheme can be instituted only if it is capable of being dovetailed into the schemes of contiguous districts. Otherwise, we would have one local authority endeavouring to zone its district and a contiguous local authority doing nothing and thus it would be impossible to carry out the scheme in its entirety. A partial scheme would be of no advantage to anybody.

It has been stated that the scheme could be extended. It is necessary that it should be capable of extension so that it could eventually embrace a larger area than is proposed in the Bill or even a larger area than would be included if the Bill were amended to provide for a 25-mile radius

from the Perth Town Hall. Ultimately the population, which has increased considerably in the last few years and doubtless in the next few years will continue to increase rapidly, will necessitate further extensions being made to the scheme and a satisfactory scheme must be evolved before extensions could be made.

I desire to see the measure placed on the statute book so that the Government may at least make a start and lay down the basis for a scheme that will in time become an accomplished fact. I support the second reading and feel sure that, if the Government is given an opportunity to start a scheme within the next 12 months or so, we may at least have something to show for all we have attempted to do over a period of many years.

HON. G. FRASER (West) [1.22]: I am beginning to think that this town planning scheme is something like the Perth Town Hall proposal. In 1928 we passed the Town Planning and Development Act and here we are, 23 years later, talking of appointing another town-planning authority. I should like the Minister to tell us why it is necessary to pass another measure when we already have one on the statute book. Why has the existing department not been used? Why should we have waited for 23 years after it was born, only to be asked to provide for somebody else to do the job?

I should like to be informed also what is lacking in the existing Act. Is it necessary to have more legislation and to set up a new authority such as the Government has in mind? I appreciate that a town-planning scheme is badly needed. We have delayed too long in adopting a scheme, but why has not use been made of the existing Act? Is it insufficient to enable the job to be done? If so, why has not it been amended before this?

The Minister for Transport: Will you tell us what was done up to 1946?

HON. G. FRASER: No, I am asking the Minister for information.

The Minister for Transport: If you help me over that portion, I may help you over the rest.

HON. G. FRASER: My mind is blank about town planning up to 1946, though I well remember when the original legislation was passed because that was my first year in Parliament. I remember being told what that legislation was to accomplish, but after 23 years we are asked to authorise the appointment of a new board. I understand that the Town Planning Commissioner is a first-class man. If that is so, why the proposal to bring in somebody else? I hope the Minister will be able to give us some explanation of these points. I admit that I know nothing about town planning, but I am willing to learn. At the moment, however, I do not know whether I shall support or oppose the second reading of the Bill.

HON. L. A. LOGAN (Midland) [1.25]: I think the best course to adopt would be to defer consideration of the measure for three months in order that we might have an opportunity to do justice to this matter, which is something we cannot do at the present time. Although Sir Charles Latham seems to think that this authority may eventually extend its planning to Esperance, Albany, Bunbury and other places, I point out to him that it is to be a metropolitan planning authority intended to plan within a radius of 15 miles of the Perth Town Hall, and that is all. I am inclined to think that in the future, those places will be quite capable of planning their own development.

It seems to me that if this was such a vital matter, the Town Planning Commissioner would have produced a plan. Apparently no plan, no report or no suggestion has been placed before Parliament by the Commission, and therefore I cannot see any good reason for urgency in passing this Bill at this late hour of the night.

Hon. H. Hearn: At this early hour of the morning.

Hon. L. A. LOGAN: Yes. If a metropolitan town-planning authority is set up and formulates a plan that meets with approval, it will be passed over to the local authorities to be put into effect, and the ratepayers will then be called upon to pay, although they will not have been consulted or given an opportunity to approve of the scheme. At this hour of the morning, we cannot mete out justice to the ratepayers, and I also object to a principle of this sort being incorporated in the Bill.

From an overall point of view, it may be necessary to overrule one local authority; on the other hand, it is only right and just that the majority should have a say. It is not for us to deny a community the right to say whether it will come into the scheme or not. I believe that the only way out is to have an inquiry by a committee or an honorary Royal Commission, and I ask the Minister to consider this suggestion with a view to seeing what can be done about it. We have no right to discuss the Bill at this hour, seeing that with all its implications, we cannot possibly do justice to it.

If we fail to pass the Bill, we might be accused of killing it, but even if we did kill it, it would have been done for a purpose, namely, not to embarrass the Government but in order to do the right thing by the people. If we adopted this course, we might get down to something worthwhile next year. I intend to oppose the second reading.

HON. G. BENNETTS (South-East) [1.30]: I oppose the second reading. I voted against the introduction of this measure at such a late hour because it is one of great importance to the State

and I think a Select Committee should be appointed to devise the machinery and go into the pros and cons of the matter so that a worth-while Bill may be placed before Parliament next session. The legislation will not affect the local governing body that I represent, and I think we on the Goldfields showed foresight in devising a decent town-planning scheme.

HON. N. E. BAXTER (Central) [1.31]: This measure will affect part of my province which is adjacent to the metropolitan area and even during the short time that we have had in which to study the Bill, I have seen one or two aspects that I do not like. One is the constitution of this proposed town-planning authority which is to consist of three members appointed by the Governor, one of whom is to be an expert in town planning with the qualification of a degree gained at the University of Western Australia. The other two members are to be persons who, in the opinion of the Governor, are fit and proper to be appointed as members. In a matter of this importance it should not be left to the Governor, or actually to Cabinet, to appoint such members, as that should be the right of Parliament. I oppose the second reading.

Question put and passed.

Bill read a second time.

Referred to Select Committee.

On motions by **Hon. H. Hearn**, Bill referred to a Select Committee consisting of **Hon. G. Fraser**, **Hon. J. G. Hislop**, **Hon. J. McI. Thomson**, **Hon. E. M. Davies** and the mover, with power to call for persons, papers and records and to sit on days over which the House stands adjourned; to report when the House reassembles.

BILL—WAR SERVICE LAND SETTLEMENT AGREEMENT.

Assembly's Message.

Message from the Assembly notifying that it had agreed to amendment No. 1 made by the Council and had disagreed to No. 2 now considered.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Minister for Transport in charge of the Bill.

The **CHAIRMAN:** The Council's amendment, to which the Assembly disagreed, was as follows:—

No. 2, Clause 6:— Page 5 add a further subclause after Subclause (2) to stand as Subclause (3) as follows:—

(3) Notwithstanding the terms of any lease, instrument or the provisions of this or any other Act, a lessee as in the last preceding subsection mentioned shall be at liberty at any time and from time to time during the period of ten years from the commencement of the term of the lease to pay any amount or

amounts not exceeding in the aggregate ninety per centum of the purchase price for the fee simple, and during such period, interest shall be rebated on the moneys so paid by the lessee.

The Assembly's reason for disagreeing is—

The amendment provides that whilst instalments or payments are lying at the bank "interest shall be rebated on the moneys so paid by the lessee".

This will be difficult to implement, as there may not be any advances bearing interest upon which rebates may be made.

At present the lessee can repay as soon as he likes the whole of the advances for buildings, water supply, fencing and any other structures, and continue paying rent only, which is a comparatively small sum.

The rebate of interest would be impossible.

The MINISTER FOR TRANSPORT: I move—

That the amendment be not insisted on.

Hon. J. McI. THOMSON: I hope the Committee will insist on its amendment. The first amendment proposed would have been acceptable to another place but because it would have involved a charge against the Crown, I was compelled to alter it to the form in which it was agreed to and which has now been rejected by another place. I think we should provide that if the lessee desires to make a payment at any time within the ten years, he may do so and that it shall be credited to the capital account and interest paid on it.

Hon. L. A. LOGAN: I hope the Committee will insist on its amendment. It will be recalled that the Minister agreed to the amendment and disagreed to one moved by Mr. Roche, presumably after discussion with the Minister in another place, yet another place has disagreed with the amendment that the Minister agreed to and has agreed to the one that he disagreed to. As it was suggested at a previous Committee that the amendment might be a charge on the Crown we deleted it, on the assumption that it would be put in by another place.

Hon. L. CRAIG: I think there is some misunderstanding as to the reasons given by another place on this amendment. The capital debt on a farm might be £6,000. In order to bring it to a state where the farmer can make a decent living from it, further expenditure may be incurred. I take it that another place intends that a man may have this further advance, but not as a debt on the farm. Such interest paid could only come from amounts on fixed deposit. The debt on the farm would still be £6,000.

Hon. H. L. ROCHE: That is not a rebate.

Hon. L. CRAIG: No, but I have outlined what I think is meant. I can understand another place stating that a farmer shall not pay off his farm until the 10-year period has elapsed.

Hon. Sir CHARLES LATHAM: I do not think Mr. Craig has stated the true position. There may be a liability on the farm and subsequently £6,000 may be spent on improvements. At any time the holder of the property may pay off the £6,000.

Hon. L. CRAIG: I said that.

Hon. Sir CHARLES LATHAM: The Committee is satisfied on that, but it wants to go further. Whilst a farmer is getting a high price for his production he should pay a fair sum off the original cost of the land. An order can be made that no transfer shall be effected within 10 years. Looking ahead, I am fearful that these men might get into the same tangle as farmers did after the first world war. Probably a conference of managers might straighten the amendment out. I know one man who paid off his liability in the first year. That man can do nothing further until 10 years have elapsed and I think that is wrong.

Hon. H. L. ROCHE: In such an instance what could he do in 10 years? If he paid £6,000 for the improvements that had been made, he would still owe £5,000 for the land, but that is not a capital debt. It is only the amount on which he pays the interest. The only thing he could do is that he could rebate a certain amount which is credited against his £5,000 capital value. A man who pays off his indebtedness immediately is then only a leaseholder for 10 years. Until 10 years have elapsed there is no capital indebtedness which can be rebated.

Hon. L. A. LOGAN: In 10 years' time a man's capital may have dwindled and he has lost the opportunity which is offering at present to pay off his farm.

Question put and negatively; the Council's amendment insisted on.

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

2 a.m.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

In Committee.

Resumed from an earlier stage of the sitting. Hon. J. A. Dimmitt in the Chair; the Minister for Transport in charge of the Bill.

Clause 14 (partly considered):

Hon. G. FRASER: I hope the Committee will not strike the clause out. It deals with the position of a worker who has already received a lump sum payment for injuries sustained but whose condition later becomes worse. Under the clause he will be able to secure further compensation. A man

might lose his hand but in consequence of the injury sustained he might later have to lose his arm.

Hon. H. HEARN: The clause proposes to permit of the reopening of a claim notwithstanding that a lump sum payment has already been made to the injured worker. If it is left in the Bill, the provisions in the Act dealing with the right of parties to deal with lump sum settlements should be struck out. If the clause is retained, the day of voluntary lump sum settlements will have gone, because employers will not know the contingent liability before them. I oppose the clause.

Hon. H. C. STRICKLAND: It is only fair and reasonable that an injured worker whose condition deteriorates should have an opportunity to have his case reviewed by the board with a view to his receiving further compensation.

Hon. G. BENNETTS: The clause will be a safeguard to both employer and employee. The board will have to make the decision.

Hon. J. G. HISLOP: I have had practical experience of both sides of this rather difficult question. I have seen some cases where the affected condition of the injured workers progressed and have felt sorry for the men because they could make no further claim for compensation. I have seen the other side of the story where, had there been any opportunity for extra compensation, those concerned would have readily taken advantage of it. We have to deal with human nature in such matters. The number of cases that would be affected by the clause would be very few. In my opinion, it would be in the interests of the workers themselves to leave this provision out of the legislation, and thus not make it more difficult to secure lump sum settlements as between the insurer and the insured.

Hon. E. M. HEENAN: I cannot see how the provisions of the clause could be abused because there are adequate safeguards provided. It is left to the discretion of the board to say what will be done.

Hon. G. FRASER: There is ample protection for the employers because the board will be the deciding factor in determining whether the first lump sum was adequate. Even if further compensation were granted, the total payment of the two payments could not exceed £1,750, which is the maximum allowed in the Act.

Hon. H. HEARN: I do not think Mr. Fraser is correct in saying that the maximum amount would be £1,750. I believe the extra payments could exceed anything mentioned in the schedule. What employers are frightened of is that there will be a revival of those difficult indefinite cases where men have something wrong, for instance, with their backs.

With a provision such as this in the Act, such men would most likely apply for further compensation. Apart from the fact that employers in future would not be in favour of lump sum settlements, there is the further fact that we could never assess what the contingent liability would be.

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

Ayes	....	....	....	9
Noes	....	....	....	16
Majority against				7

Ayes.

Hon. G. Bennetts	Hon. W. R. Hall
Hon. R. J. Boylen	Hon. E. M. Heenan
Hon. J. Cunningham	Hon. H. C. Strickland
Hon. E. M. Davies	Hon. E. H. Gray
Hon. G. Fraser	(Teller.)

Noes.

Hon. N. E. Baxter	Hon. Sir Chas. Latham
Hon. L. Craig	Hon. L. A. Logan
Hon. R. M. Forrest	Hon. A. L. Loton
Hon. Sir Frank Gibson	Hon. J. Murray
Hon. H. Hearn	Hon. H. S. W. Parker
Hon. C. H. Henning	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. McI. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
	(Teller.)

Clause thus negatived.

Clause 15—Second Schedule amended:

Hon. J. M. A. CUNNINGHAM: I wish to move an amendment to add a provision to cover facial injuries necessitating dental treatment, including the provision of artificial dentures. Nowhere in the Act is provision made for supplying dentures to a man whose natural teeth are destroyed. I think the amendment would be out of order and I seek your advice on the point, Mr. Chairman. In the event of its being out of order, I suggest the Minister might ask the Minister in another place to give consideration to this matter. The benefit has probably been overlooked, but is desperately needed.

The CHAIRMAN: I think the amendment would be out of order because it seeks to provide materials which would be very expensive for a man to buy himself and the hon. member is asking the Government to provide them, which would be an added cost to the Crown.

Hon. J. M. A. CUNNINGHAM: Is it a charge on the employer or the Crown? I am not certain of that. In any case, I would like the attention of the Minister in another place drawn to the matter.

Hon. J. G. Hislop: That is covered in the proviso to the First Schedule to the Act, in paragraph (c).

Hon. J. M. A. CUNNINGHAM: That does not cover the point I have in mind. It refers to replacements of artificial teeth. I am referring to a man's natural teeth being destroyed as a result of which he has to supply artificial teeth at his own expense.

The MINISTER FOR TRANSPORT:

The matter is covered in paragraph (c) of the proviso which includes reference to the provision of artificial teeth.

Clause put and passed.

Clause 16—agreed to.

New clause:

Hon. G. FRASER: I move—

That a new clause be added as follows:—

4. Section four of the principal Act is hereby deleted and the following is substituted in lieu:—

Any worker who at the time of the coming into operation of this Act is receiving or entitled to receive weekly payments for any period of total or partial incapacity in accordance with the provisions of the Workers' Compensation Act, 1912, and that incapacity continues after that time, or who at or after the time of the coming into operation of this Act became or becomes entitled to weekly payments in consequence of an accident which occurred prior to the time of the coming into operation of this Act, shall, as from that date, be entitled to payments, whether weekly payments or otherwise in accordance with the provisions of the Workers' Compensation Act, 1912-1951, provided that nothing in this Act shall be construed so as to entitle any such worker to any increase in weekly payments made or payable before that date.

This will mean that a person who has been injured and has been on weekly payments under the old Act will receive the increased payments under the new measure. That provision was in the 1949 Act but is not in this Bill.

The MINISTER FOR TRANSPORT: I think this amendment should be ruled out of order. First of all, there is nothing in the Bill to which it relates. Secondly, it will provide for a charge on the Crown and would not be acceptable in another place on that account.

The CHAIRMAN: I rule that the amendment is out of order as not being within the scope of the Bill.

Dissent from Chairman's Ruling.

Hon. G. Fraser: In order to test the feeling of the Committee, I will move to dissent from your ruling.

[The President resumed the Chair.]

The Chairman having stated the dissent,

Hon. G. Fraser: I moved to disagree with the Chairman's ruling because the Title of the Bill mentions no particular section. It is a Bill to amend the whole Act. Even Clause 2 sets out—

The principal Act, as amended by this Act, may be cited as the Workers' Compensation Act 1912-1951.

At no stage does the Bill stipulate that it is confined to any particular sections. Therefore I maintain that any section of the Workers' Compensation Act is liable to be amended whilst the Bill is before the Chamber. I hope, Sir, you will uphold my contention.

The President: I am afraid I shall have to rule that the hon. member is correct. We had, on a previous occasion, a similar case. As the Title covers the whole of the Workers' Compensation Act, the amendment is in order.

Committee Resumed.

Hon. G. FRASER: The contention that the Minister put forward that this would make a charge on the Crown cannot be sustained because I am endeavouring only to bring the measure into line with the present Act. I am not suggesting any new burden on the Crown. The proposals in the Bill seek to break down the present payments.

Hon. H. HEARN: I can definitely say there would be another big charge on the employers. This would be a contingent liability that has not been allowed for. What about the lump sum settlements? It could mean an expenditure of thousands of pounds out of the blue. I do not think it is fair that the employers should have to provide for an unknown liability.

Hon. G. FRASER: I cannot understand the hon. member talking of an unknown liability. We are talking of a man who has been injured and is on weekly payments.

Hon. H. Hearn: What about the lump sum payment?

Hon. G. FRASER: The employer would not settle with a man for £1,250 when the Act says he shall get £1,750. The reasonable thing to do would be to pay the lump sum payment when the lump sum settlement was being made. I cannot see that any miscalculation would be made. With regard to the weekly payments, surely there would not be much miscalculation between the old and the new rates! I cannot see that any large extra payments would have to be made because of the amendment. Even if it caused a little extra, are we not always prepared to pay extra for a fair deal?

Hon. H. S. W. Parker: Someone has to pay it.

Hon. G. FRASER: Unless we agree to this, a man injured today and another next week would get different amounts. We could not justify anything of that description.

Hon. H. S. W. PARKER: The Constitution Acts Amendment Act by Section 46, Subsection (3), provides that the legisla-

tive Council cannot amend any Bill so as to increase any proposed charge or burden on the people. Quite obviously this is to increase a charge so it does not appear that we can make the amendment. It must be made in another place.

Hon. G. Fraser: I have already answered that point.

The MINISTER FOR TRANSPORT: There is something in what Mr. Parker said. The Government has to make provision for its own employees, and this will be retrospective.

Hon. H. S. W. Parker: It does not matter about the Government; it covers any people.

The MINISTER FOR TRANSPORT: The Government would be involved in expenditure because of extra payments to its own employees. I cannot think if we carried this that it would be accepted in another place. When amendments like this are brought forward and we have not time to study them, it is difficult to know what issues are involved. I recommend the Committee to vote against it.

New clause put and a division taken with the following results:—

Ayes,	.....	7
Noes	.....	18
Majority against	.....	11

Ayes.

Hon. G. Bennetts	Hon. E. M. Heenan
Hon. R. J. Boylen	Hon. H. C. Strickland
Hon. E. M. Davies	Hon. G. Fraser
Hon. W. R. Hall	(Teller.)

Noes.

Hon. N. E. Baxter	Hon. L. A. Logan
Hon. L. Craig	Hon. A. L. Loton
Hon. J. Cunningham	Hon. J. Murray
Hon. R. M. Forrest	Hon. H. S. W. Parker
Hon. Sir Frank Gibson	Hon. H. L. Roche
Hon. H. Hearn	Hon. C. H. Simpson
Hon. C. H. Henning	Hon. J. McI. Thomson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. A. R. Jones
	(Teller.)

New clause thus negatived.

Title—agreed to.

Bill reported with amendments.

Recommittal.

On motion by the Minister for Transport, Bill recommitted for the further consideration of Clause 13.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Minister for Transport in charge of the Bill.

Clause 13—First Schedule, Clause 1 amended:

Hon. H. HEARN: I move an amendment—

That in line 5 of paragraph (c) the word “dependant”, inserted in a previous Committee, be struck out.

Amendment put and passed.

Hon. H. HEARN: I move an amendment—

That in line 5 of paragraph (c), the word “of” where it appears a second time be struck out.

Amendment put and passed.

Hon. H. HEARN: I move an amendment—

That in line 5 of paragraph (c) after the word “mother” the words “wholly dependent on” be inserted.

Hon. E. M. HEENAN: I hope that the mover of the amendment will agree to the words “or partially” being inserted after the word “wholly.” This will bring it into line with the definition of “dependant” in the Act. Take the case of a widow whose husband has been killed and the widow has not been wholly dependent on her husband. She may have had a small income derived from the rental of a house but she would be excluded from the provisions of the hon. member’s amendment because she would not have been wholly dependent on her husband. The same might apply to a mother who might be supported by two sons, one of whom is killed. Therefore, I hope Mr. Hearn will agree to my request.

Hon. H. HEARN: I have tried to do my best in this matter and on several occasions I have been asked to extend the provisions. I have reached the end of my beneficence and I am not prepared to go any further.

The CHAIRMAN: Does Mr. Heenan wish to move to insert those words?

Hon. E. M. Heenan: Yes.

The CHAIRMAN: Then it will be necessary for the hon. member to move to recommit the Bill for the further consideration of that paragraph.

Amendment put and passed.

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

That a new paragraph be inserted as follows:—

(j) deleting the words “hospital charges for treatment and maintenance not exceeding as hereinafter prescribed in paragraph (d)” of paragraph (c) of the proviso.

Amendment put and passed.

Hon. J. G. HISLOP: It will be necessary to delete paragraph (j) as it appears in the Bill. I move an amendment—

That paragraph (j) be struck out.
Amendment put and passed.

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

That a new paragraph be inserted as follows:—

- (k) deleting the words "one hundred" in line 16 of paragraph (c) of the proviso and inserting the words "seventy-five" in lieu.

Amendment put and passed.

3 a.m.

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

That a new paragraph be inserted as follows:—

- (l) inserting after the word "pounds" in line 16 of paragraph (c) of the proviso the words "and also including hospital charges for treatment and maintenance not exceeding as hereinafter prescribed in paragraph (d) and not exceeding in the aggregate one hundred pounds and including ambulance service not exceeding in the aggregate twenty-five pounds".

Amendment put and passed.

The MINISTER FOR TRANSPORT: I move an amendment—

That paragraph (l) be struck out.

This refers to the paragraph (l) already in the Bill.

Amendment put and passed.

The MINISTER FOR TRANSPORT: I move an amendment—

That a new paragraph be inserted as follows:—

- (m) deleting the words "except when the board is of opinion, having regard to the circumstances of the case, that such amount is inadequate, in which event the board may allow such additional amount as it deems expedient, but not exceeding fifty pounds" in lines 16 to 21 inclusive in paragraph (c) of the proviso.

It will be remembered that this links up with the proposals put forward by Dr. Hislop and will have the effect of limiting the total amount to £200. If this were not done, the worker might lose £50.

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

Bill again reported with further amendments.

Further Recommital.

On motion by Hon. E. M. Heenan, Bill again recommitment for the further consideration of Clause 13.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Minister for Transport in charge of the Bill.

Clause 13—First Schedule, Clause 1, amended:

Hon. E. M. HEENAN: I move an amendment.

That in line 5 of paragraph (c) after the word "wholly" inserted in a previous Committee, the words, "or in part" be inserted.

I am only asking for the insertion of the definition already in the Act. If these words were not included a widow or mother who is getting any income, no matter how small, cannot be defined as being, "wholly dependent." I hope Mr. Hearn will not oppose this.

Hon. H. HEARN: I oppose the amendment. In view of my previous attitude, I do not think it is fair that the Bill should be recommitted. I have to give an account, as other members probably have, of the attitude I have adopted.

Hon. H. C. STRICKLAND: The Bill is a Government measure and the Minister is in charge of it and yet we are always appealing to Mr. Hearn! I support the amendment.

Hon. A. R. JONES: I support the amendment because I think without it what has already been done is pretty well useless.

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

Ayes	11
Noes	15
Majority against	4

Ayes.

Hon. G. Bennetts	Hon. E. M. Heenan
Hon. R. J. Boylen	Hon. A. R. Jones
Hon. J. Cunningham	Hon. L. A. Logan
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. G. Fraser	Hon. W. R. Hall
Hon. E. H. Gray	(Teller.)

Noes.

Hon. N. E. Baxter	Hon. A. L. Lorton
Hon. L. Craig	Hon. J. Murray
Hon. R. M. Forrest	Hon. H. S. W. Parker
Hon. Sir Frank Gibson	Hon. H. L. Roche
Hon. H. Hearn	Hon. C. H. Simpson
Hon. C. H. Henning	Hon. H. K. Watson
Hon. J. G. Hislop	Hon. J. McI. Thomson
Hon. Sir Chas. Latham	(Teller.)

Amendment thus negatived.

Clause put and passed.

Bill again reported without further amendment and the reports adopted.

BILL—LICENSING ACT AMENDMENT (No. 2).

Assembly's Message.

Message from the Assembly notifying that it had agreed to amendments Nos. 1, 2, 3, 5 and 6 made by the Council and had agreed to amendment No. 4 subject to further amendments now considered.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Minister for Transport in charge of the Bill.

The CHAIRMAN: The Council's amendment No. 4 was—

Clause 13, page 6, after the word "or" secondly occurring in line 18, insert the following words:— "(ii) outside a town hall or agricultural hall or on any road, street, footpath or lane within 20 chains of any such hall," or (iii)."

The Assembly's amendments are—

Line 2, after the word "outside" insert the words "school premises"; line 5, after the word "such" insert the words "school premises or"; after the word "hall" insert the words "while a dance or other entertainment is being held in such school premises or hall."

The MINISTER FOR TRANSPORT: I move—

That the amendment, as amended, be agreed to.

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

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

BILL—RESERVES.

Second Reading.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [3.25] in moving the second reading said: This is another of the formal Bills introduced at the end of each session. It seeks statutory authority for the revestment in the Crown of certain reserves. I shall deal with the revestments seriatim, and I have plans of them which I propose to lay on the Table.

The first applies to portion of Plantagenet Location 44 having a frontage to Seymour-st., Albany; the second to Reserve No. 6651 at Cuballing; the third to Reserve No. 16991 at Gabbin; the fourth to Reserves Nos. 2562 and 20194 at Geraldton; the fifth to Reserve No. 12076 at Katanning; the sixth to Reserve No. A7694 at Mount Barker; the seventh to Perth Town Lot O18; the eighth to Reserve No. A16713 at Rottnest; the ninth to Reserve No. 12084 at Tammin; the tenth to Reserve No. 16855, Victoria Location 5950; the eleventh to Reserve No. 18315 at Wellard; the twelfth to Reserve No. 18532 at Wellard; and the thirteenth to Reserve No. A7655, Wellington District near Lake Clifton. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and *passed*.

BILL—ROAD CLOSURE.

Second Reading.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [3.32] in moving the second reading said: Like the previous Bill, this is the measure usually brought down at this stage of the session to obtain parliamentary approval for the closure of certain roads. In detail, these are, the closure of portion of Smeed Terrace, Bayswater; the closure of a certain road at Fremantle; the closure of portion of Marine Terrace, Geraldton; closure of portions of Horatio and Wickham streets, East Perth; and the closure of portion of Riverside Drive, Perth. The necessary plans are laid on the Table of the House. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and *passed*.

BILL—LOAN, £12,535,000.

Second Reading.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [3.36] in moving the second reading said: This is the usual Bill introduced each year to give the Government authority to raise, by way of loan, the amount necessary to carry out the works programme as detailed in the Loan Estimates, which are under consideration in another place.

The amounts required for the various works are set out in the First Schedule to the Bill, and, allowing for unspent balances of sums authorised to be raised by previous Loan Acts, should be sufficient to complete the projected works, or, where necessary, enable them to be carried on for about six months after the close of the financial year, by which time Parliament will have had the opportunity of reviewing next year's Estimates and of authorising further loans where necessary.

Clause 6 authorises the reappropriation of the balance remaining against the item "Goldfields Water Supply", particulars of which are set out in the Second Schedule. When the Goldfields pipeline was first constructed, its main function was to supply water to the mining districts of Kalgoorlie and Coolgardie, but

the passing of time and the enormous development of agriculture that has taken place have resulted in the line being tapped along a great part of its length to supply townships and farming areas not even remotely connected with goldmining.

The term "Goldfields Water Supply" has, therefore, become a misnomer, and it has been decided to drop that title in favour of one more in keeping with present-day circumstances. As the administration of that section of the department's activities is now governed by the Country Areas Water Supply Act, the title chosen is that appearing against item 2 in the Third Schedule, namely, "Country Areas Water Supply, including North West Districts", to which most of the balance on the old item is reappropriated. Another item discontinued is "Water Supply in Agricultural and North West Districts, including drainage and irrigation and loans and grants to local authorities". The expenditure previously charged to that item will, in future, be divided between "Country Areas Water Supply" and another new item entitled "Drainage and Irrigation", the latter appearing as item No. 19 in the First Schedule.

Loan proceeds during the year 1950-51 amounted to £14,715,200, of which £12,000,000 came from loans raised by the Commonwealth, £2,581,000 from the Commonwealth Savings Bank, and the remainder from the investment of trust and other funds under the control of the Treasury. As members may be aware, the Savings Bank Transfer Act of 1931 gives the State the right to accept as a loan, 70 per cent. of the increase in depositors' balances each quarter. The rate of interest is fixed by the Act at 1 per cent. above the rate allowed to depositors. As that rate is 2 per cent. the cost to the State of money obtained from this source is at present 3 per cent.

Further conversions of maturing loans to lower rates again reduced the average rate of interest on the public debt. That rate is now £3 1s. 2d. per cent. as against £3 2s. 5d. per cent. last year, but with the recent increase in interest rates, it is inevitable that the average will tend to rise over the next few years. Operations of the sinking fund, controlled by the National Debt Commission, resulted in the redemption of debt totalling £1,078,576, of which £808,900 was domiciled in London and £5,959 in New York. The net public debt at the 30th June last amounted to £123,178,420, or £196 11s. per head of population. I move—

That the Bill be now read a second time.

HON. SIR CHARLES LATHAM (Central) [3.41]: I do not think this House should pass the Loan Bill before the Loan

Estimates have been passed in another place. I noticed that this Bill reached the Committee stage in another place and was made an order of the Day for yesterday and that the Loan Estimates are considerably below the Revenue Estimates on the notice paper. It would be improper for this House to pass a Loan Bill when the Loan Estimates to which it applies have not been passed by another place.

The Minister for Transport: I am leaving the Appropriation Bill until the Revenue Estimates are passed.

Hon. Sir CHARLES LATHAM: Yes, but it is an extraordinary thing that we should have the Loan Bill here before the Loan Estimates are passed. It would be the same thing if we had the Appropriation Bill here before the Revenue Estimates had been dealt with. I would like to move that the debate be adjourned to a later stage of the sitting.

The PRESIDENT: The hon. member has already spoken to the Bill.

Hon. Sir CHARLES LATHAM: I see what you mean, Mr. President, but I ask the Minister to postpone this measure until a later stage of the sitting. I remember an occasion on which we had the Appropriation Bill here before the Estimates were finished in another place, and that procedure is quite wrong. I will not be a party to it. If the Appropriation Bill came here before the Estimates, I do not think we would pass it and I remember that we held it up on one occasion in the past. Legislation should be dealt with in its proper sequence.

As to Presentation of Bill.

The MINISTER FOR TRANSPORT: By way of explanation, Mr. President, I had no intention of bringing forward the Appropriation Bill until I had been advised that the Loan Estimates had been passed in another place, but this Bill is really for the information of members and I thought it desirable that it should be presented so that they could debate the second reading if they wished to do so. I do not think members have any statutory right to take action in regard to the Bill, however, by reducing or increasing any of the items mentioned in it. I am quite prepared to let the Bill stand over, but my idea was that it might afford members an opportunity to discuss it which otherwise they might not have had.

Debate Resumed.

HON. G. FRASER (West) [3.46]: On looking through the Bill and the schedule to it, I cannot find anything provided for housing at all. I understood that this year a recommencement was to be made with the building of workers' homes, but no provision is made in the Bill for it.

The Minister for Transport: Have you looked at the loan appropriation?

HON. G. FRASER: No. Public buildings are mentioned, which includes provision for some housing, but I understood that a fair amount was to be provided for the building of workers' homes this year. I regret that it has not been, especially in view of the restriction to be placed on the building of Commonwealth-State rental homes.

HON. H. C. STRICKLAND (North) [3.47]: I take this opportunity of putting before the Chamber the views of many residents in the Kimberley district, which have been occasioned by the Government restricting the payment of air freight on perishables flown to the Kimberley area and outlying stations. It was done so suddenly that it caught most people unawares. With the times, the people there have become used to living, one could say, from plane to plane. Naturally, the fresher the perishables the sweeter they are.

It was certainly a blow to the people to find the Government cheeseparing on the payment of subsidy on these air freights. It cost the Government £18,000 last year to cover the whole of the North, including the Murchison. As against that, it is estimated that £10,000 will be provided to air-freight beef from the Glenroy abattoirs, that could have been saved by letting the bullocks do as they have done for the past 80 years—carry their own weight to the abattoirs.

However, I understand that the Premier is likely to be sympathetic to the appeals made by the people in those parts, and I sincerely hope he will be, because the reduction in the subsidy has caused great expense to the residents in the North. Instead of paying 6d. per lb. on freight on such items as butter, milk and yeast, they are now paying 8d. per lb. because those commodities have been struck off the list of perishable items which come under the subsidy.

Nearly all the station managers in the North are young men with young families. I met seven couples at Hall's Creek this year and 13 of their children were at boarding school at Alice Springs. All those children return to the North to be with their parents just at the time when the subsidies have been restricted and when fruit and other perishables are so essential for them at this time of the year. I am certain that the people on the cattle stations will not get the class of labour they require to remain there, if they are to be treated in this fashion.

I am not aware whether Cabinet has decided to restore the payment of subsidies, although I have been trying to ascertain if it has for several days, because it means a lot to the people in the out-back as it is impossible for them to pay out of their own pockets, the extra freight charges on the goods. They would be far better off living in the metropolitan area

where they could have their children properly cared for and would not need to expend £15 on air freight. I therefore hope the Minister will endeavour to place their position before the Treasurer when he gets an opportunity.

HON. G. BENNETTS (South-East) [3.52]: I hope the Minister will ensure that sufficient money is provided from revenue for the completion of the highway between Southern Cross and Coolgardie. That is a most important section and if money were made available to complete the bituminising of it, the Government would be saved a good deal of money in the future on maintenance.

The Minister for Transport: It is on the roads programme.

HON. G. BENNETTS: Yes, but I hope the Minister will ensure that the job will be completed in the near future, and then money can be made available for expenditure on the road between Norseman and Coolgardie to assist in the production of pyrites for the manufacture of superphosphate. I noticed that the Minister, when speaking, used the term "Country Areas Water Supply" instead of the "Goldfields Water Supply Scheme." I sincerely hope that the Government will not adhere to its intention to alter the original name of that scheme.

HON. L. A. LOGAN (Midland) [3.54]: It is rather strange to notice from the First Schedule the amount of loan money that is to be spent on some items and the paucity of the provision for others. One would think that agriculture would have first priority in Western Australia and yet only £260,000 is provided for it. On the other hand, for one industry, namely the charcoal-iron industry at Wundowie, £300,000 is provided. I do not know what Wundowie has cost the State to date, but the amount must be considerable and another £300,000 is to be spent on it next year and probably for many years to come.

Furthermore, £20,000 is provided for Chamberlain's Industries at Welshpool. If that company has not reached the stage where it should be repaying the Government some of the money that has been loaned to it, then I am afraid it has not much chance of ever doing so, and the amount will probably be increased again next year. I am disappointed that Mr. Chamberlain did not take notice of the suggestion I made to him two years ago when I was making a tour of inspection of his works.

I suggested that he should not necessarily go out of tractor production, but should pay some attention to the manufacture of harvesters and combines. He replied, "I have a target set and when I reach it, I will commence on the production of other machinery items." He should have known, as most of us knew, that the importation

of tractors from the Eastern States and oversea was becoming so great that the demand on the local market was easing. Some six months later I suggested to the officers of the Department of Industrial Development that they should endeavour to induce Mr. Chamberlain to switch to the production of harvesters and combines because it was stupid for him to continue the manufacture of tractors when the farmers did not have the machinery for them to haul.

Unfortunately nothing was done. As a result, today Mr. Chamberlain is in a bad position and it is purely because he would not listen to reason from anybody. If he had carried on producing one tractor a day and had commenced the manufacture of farming machinery which could be pulled behind the tractors he would not have needed this further £120,000.

I do not notice any provision in the Bill for the Geraldton harbour works. It will be recalled that not very long ago reference was made to the closure of the harbour to shipping with a draft in excess of 27ft. 6in. and it was suggested that the reef outside the harbour should be blasted to increase the depth. I do not know whether the Government can provide money from general revenue for this work, but we certainly cannot provide it from loan funds. However, we cannot have the harbour closed for a further 12 months. If it is necessary to have the rockbreaker remove the reef which is preventing ships with a draft of 30ft. entering the harbour, I hope the Government will give consideration to providing the money for the work from revenue, in order that the improvements will not be delayed.

It seems strange to me that for the last few days we have been endeavouring to reduce the payment of subsidy for the road haulage of super from £200,000 to £100,000, and yet the amount of money to be provided for the railways on this loan schedule is to be reduced by £30,000. It would be simple, I should think, to appropriate that sum from somewhere.

The Minister for Transport: The railway programme was cut by 49 per cent.—the largest cut in Australia.

Hon. L. A. LOGAN: In any event, I do not think there is any need to complete the new causeway in 12 months. I would like to see extra money paid as subsidy for the haulage of super for the purpose of promoting greater production in this country. We must look to basic facts first, and the primary producer should receive primary consideration. It would be quite easy to cut £50,000 off some of the items and help to provide extra funds to enable production to continue without interruption. I think that suggestion is worthy of consideration by the Government.

HON. N. E. BAXTER (Central) [4.11: Like Mr. Logan, I have been rather astounded at some of the amounts set out in the First Schedule, particularly those in connection with the charcoal iron industry. On the one hand, there is £400,000 for the development of mining as against £300,000 for charcoal-iron production. The latter is actually a temporary industry.

In the past I have been told, and probably will be told again, that iron production from Wundowie has filled a pressing need at the present juncture. Nevertheless, it will be only a few years hence when conditions will return to normal and Wundowie itself will then be shown to be the white elephant it really is. Were it not for the large sawmill that operates there, a colossal loss on operations would be disclosed. I have been looking through the references to the industry in the reports, but I have not found any. It does not appear under the heading of the Department of Industrial Development. In these circumstances, it is hard to know what is going on. I am interested to know what the position was as at the 30th June, 1951, particularly in view of the loan expenditure proposed. It makes one wonder what is happening in connection with the undertaking. I deplore the provision of such a huge amount for an industry of this type while agriculture is comparatively neglected. The producers are expected to shoulder increased burdens by way of additional freights and so on, and I can assure the House that if ever production drops in Western Australia, we shall rue the day. I trust that due attention will be given to reducing some of the expenditure outlined and that in future more consideration will be given to the interests of the basic production of agriculture. I support the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Hon. A. L. Loton in the Chair; the Minister for Transport in charge of the Bill.

Clauses 1 to 6, First Schedule—agreed to.
Second Schedule:

Hon. Sir CHARLES LATHAM: Dealing with the provisions for the Goldfields Water Supply, I desire to draw attention to part of the Auditor General's report. Apparently the Government made available imported cement to industrial users, and made it available at local prices. At the same time the Government used local cement. I can appreciate why it was done, because the local product was better for concrete work at Mundaring Weir. On page 38 of the Auditor General's report, the following appears:—

Between the 3rd May, 1950, and 31st January, 1951, when the arrangement was terminated (a period of 9 months), the accounts show that 6,132½ tons of imported cement were released to industrial users, whereas

according to information obtained from the Public Works Department, the quantity of local cement used at Mundaring for the 11 months from 1st July, 1950, to 31st May, 1951, was only 5,792½ tons.

The cost of the imported cement released (including charges paid by the Government Stores) was £74,321 3s. 9d., for which the accounts show that £39,561 6s. 6d. was charged to industrial users. The difference, £34,759 17s. 3d. was charged by the Public Works Department in 1950-51 against the Loan Fund Item No. 23, Goldfields Water Supply, under the departmental authority—"Raising Wall of Mundaring Weir".

The charge to this Loan Item has not been passed by the Audit Office. It is considered that the amount of £34,759 17s. 3d., being the difference between the cost of the imported cement released and the prices charged to the industrial users, should have been met from a specific expenditure item created for the purpose and to be submitted to Parliament for appropriation.

Evidently the Government has taken no action to correct the matter to which the Auditor General has drawn attention. Members must realise that the Auditor General is not a servant of the Government, but of Parliament. If we are to be slipshod in allowing financial Bills to go through before the Estimates are finalised in another place, we shall be extremely careless. Even at this late stage, I hope the Minister will protect another place to the extent of holding up the third reading of the Bill until the Loan Estimates have been put through.

Schedule put and passed.

Third Schedule. Preamble, Title—agreed to.

Ministerial Statement.

The MINISTER FOR TRANSPORT: Before the Bill is reported, I would like, on a point of explanation, to tell Sir Charles Latham that the cement position during the year has been very difficult. At times the Government used imported cement and allowed local cement which was cheaper to be made available to consumers. That practice was altered afterwards because as the Government provided finance to bring down machinery from Wiluna, to help the cement works, which provided an extra 400 tons per week, it was considered fair that an equivalent amount of cement should be made available for public works and a proportion of the remainder was made available to the asbestos people for the manufacture of asbestos sheeting for housing so as to keep costs down to as reasonable a figure as possible.

Owing to shipping difficulties early in the year, because of a strike in New Zealand, cement supplies from overseas were

completely held up for some time. Had it not been for the Premier chartering a special ship, the cement position would have been more acute than it was. In the distribution of cement available, it was necessary to adopt a sort of quota system by which supplies were made available in the proportion of one bag of local cement to three of imported cement. Later on, the whole of the local cement was made available to meet Public Works Department requirements and for housing purposes. A proportion of imported cement was made available to the public.

I had not previously read the Auditor General's remarks. I take it they were in line with the measures the Government was compelled to adopt to finance the project in our desperate attempt to make as much cement available as possible for the works I have indicated. I am prepared to adopt the suggestion to hold the third reading over until the Loan Estimates are passed.

Hon. Sir CHARLES LATHAM. The position as the Minister stated has been known for some time and the Government in its actions was quite honest. It was well known that the Government had made available to local consumers imported cement for which local prices were charged. I am quarrelling with the fact that 340 tons have been charged up to the Mundaring Weir which were not used there, and that is the complaint the Auditor General has made. The amount should have been charged to revenue and not to loan.

Report.

Bill reported without amendment and the report adopted.

BILL—RENTS AND TENANCIES EMERGENCY PROVISIONS.

Assembly's Message.

Message from the Assembly notifying that it had agreed to amendments Nos. 1 to 21, 24 to 28, and 32 and 33 made by the Council, had disagreed to Nos. 22, 23, 29, 30, 35 and 36, and had agreed to Nos. 31 and 34 subject to further amendments now considered.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Minister for Transport in charge of the Bill.

No. 22. Clause 20, page 11, line 3—Insert after the word "married" the words "or widowed."

The CHAIRMAN: The Assembly's reason for disagreeing is—

This must give rise to the possibility of the eviction of a family for one individual. This is not considered desirable as it is not necessary to establish "need."

The MINISTER FOR TRANSPORT:
I move—

That the amendment be not insisted on.

Hon. H. K. WATSON: I have had an opportunity to study the reasons of another place for disagreeing to these amendments, but it may save time if I indicate on this motion that I feel another place has not altogether appreciated the force and substance of, or, the reasons for, the amendments made, and I shall ask the Committee to insist on the amendments.

Question put and negatived; the Council's amendment insisted on.

No. 23. Clause 20, page 11—Add after the word "years" in line 6 the words "or for occupation by a person who, or a body which, is associated with the lessor in his trade, profession, or calling or of whom, or of which, the lessor is an employee."

The CHAIRMAN: The Assembly's reason for disagreeing is—

This unduly widens the scope of the provisions of the Bill regarding "automatic" repossession and is subject to the further objection that the applicant has no need to establish ownership for any period or any period of residence in Australia.

The MINISTER FOR TRANSPORT: I move—

That the amendment be not insisted on.

Hon. H. K. WATSON: I hope the Committee will not carry the motion. This provision has been extracted from the regulations which have been in operation for 11 years.

Question put and negatived; the Council's amendment insisted on.

No. 29. Clause 22, page 16—Insert after the word "person" in line 3 the words "unless the lessor is a protected person or."

The CHAIRMAN: The Assembly's reason for disagreeing is—

This could remove protection from a totally disabled ex-serviceman. The provisions of the Bill give scope for the court to determine the greater hardship and do justice in such cases.

The MINISTER FOR TRANSPORT: I move—

That the amendment be not insisted on.

Hon. H. K. WATSON: This is the amendment that provides that a tenant who is a protected person shall not have a prior right to a property over an owner who is a protected person. I oppose the motion.

Question put and negatived; the Council's amendment insisted on.

No. 30. Clause 27, page 17—Delete the words "period of three months" in line 16 and substitute the word "month."

The CHAIRMAN: The Assembly's reason for disagreeing is—

It is surely unnecessary for inspection of the premises to be made more frequently than at intervals of three months.

The MINISTER FOR TRANSPORT: I move—

That the amendment be not insisted on.

Hon. H. S. W. PARKER: I trust the Committee will insist on this amendment. Surely the very least that can be conceded is that a man can inspect his own property at least once a month. I would rather see the Bill go unless this right is conceded.

The MINISTER FOR TRANSPORT: This is one of the matters about which I take a different view from the hon. member. I think it is only in rare cases that a landlord would avail himself of the right to inspect once a month, and from the tenant's point of view he would be regarded as an absolute nuisance. Once in three months is reasonable.

Question put and negatived; the Council's amendment insisted on.

No. 35. New Clause—Insert a new clause after Clause 21 to stand as Clause 22 as follows:—

22. The provisions of this Part shall continue in operation until the thirtieth day of September, one thousand nine hundred and fifty-two, and no longer.

The CHAIRMAN: The Assembly's reason for disagreeing is—

It is undesirable that this part of the Act should come to an end three months before the other parts. A life of one year for the whole Act is reasonable.

The MINISTER FOR TRANSPORT: I move—

That the amendment be not insisted on.

Hon. H. K. WATSON: The reasons offered are rather naive, and I ask the Committee to insist on this new clause.

Question put and negatived; the Council's amendment insisted on.

No. 36. New Clause—Insert a new clause immediately following the heading "Part VI.—Miscellaneous" to stand as Clause 23—

23. (1) Applications made, proceedings for recovery of unlawful charges, prosecutions for offences, appeals, and other proceedings, commenced, notices given and warrants issued, pursuant to the provisions of

the repealed Act, but not finalised when this Act comes into operation, may be finalised as if that Act had continued in operation and for this purpose it is hereby declared that the expression "lessor" in Section 15A of the repealed Act shall be deemed always to have included a body whether incorporated or not incorporated.

(2) The provisions of the last preceding subsection do not affect the application to this Act of the provisions of the Interpretation Act, 1918.

The CHAIRMAN: The Assembly's reason for disagreeing is—

As the amendment is drawn it provides retrospectively not only in regard to offences committed under the repealed Act but also in regard to other uncompleted proceedings whether validly commenced or not.

The MINISTER FOR TRANSPORT: I move—

That the amendment be insisted on.

I think there was some misunderstanding in another place as to the true interpretation of this clause. We had expert advice on it and were assured that the clause was not only correct, but necessary.

Question put and passed; the Council's amendment insisted on.

No. 31. Clause 30, page 18, line 19—Delete the words "the Judge, or Court considers" and insert the words "may be considered."

The CHAIRMAN: The Assembly agrees to the Council's amendment, subject to the Council's agreeing to a further amendment to delete the word "considered" and insert in lieu the word "decided."

The MINISTER FOR TRANSPORT: I move—

That the amendment, as amended, be agreed to.

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

No. 34. New Clause—Insert a new clause, to stand as Clause 18 as follows:

18. (1) In this section "specified day" means the thirty-first day of December, one thousand nine hundred and fifty.

(2) The provisions of this Part do not—

- (a) affect the rights at law of parties to a lease entered into after the specified day;
- (b) affect the rights at law of parties to a lease of a dwelling-house ordinarily used for the occupation by persons employed by the lessor;
- (c) enable the lessor of premises leased at the specified day for a fixed term, to terminate

the lease before the expiration of the term, or thereafter in contravention of the provisions of this Part, to recover possession of the premises from the occupant who, having occupied them as the lessee, continues in occupation of the premises after the expiration of the term, or to eject him from the premises;

(d) unless the period of the tenancy is monthly or less than monthly enable the lessor of premises, the subject of a periodic tenancy, at the specified day to terminate the tenancy before the time when, irrespective of this Act, the tenancy is terminable at law or thereafter in contravention of the provisions of this Part, to recover possession of the premises from the occupant who, having occupied them as the lessee, continues in occupation of the premises after the termination of the tenancy, or to eject him from the premises;

(e) affect the rights at law of the lessor of premises leased at the specified day, the lessee of which, whether before or after the coming into operation of this Act, without the consent of the principal lessor assigns the lease of the premises, or sublets the premises wholly or in part or gives permission to any person to use the premises wholly or in part unless the permission is given for use of a temporary and casual or temporary and occasional, nature without consideration in money or money's worth and is not in contravention of the provisions of the lease of the premises;

(f) preclude a person from exercising the right to accept, reject or discontinue the acceptance of a person as his lodger.

The CHAIRMAN: The Assembly agrees to the new clause subject to the Council's agreeing to an amendment to delete the words from "unless" in line 1 of paragraph (d) of Subclause (2) down to and including the word "monthly" in line 3.

The MINISTER FOR TRANSPORT: To test the feeling of the Committee, I move—

That the amendment, as amended, be agreed to.

Hon. H. K. WATSON: The new clause was inserted on the motion of the Minister. There is very good reason why these words

"unless the period of the tenancy is monthly or less than monthly" should remain. The reasons are highly legal and I will not burden the Committee with them. I have consulted practising solicitors on this, and apparently the Crown Law Department feels the same. I trust the Committee will disagree with the motion.

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

Ayes	10
Noes	16
Majority against	6

Ayes.

Hon. R. J. Boylen	Hon. W. R. Hall
Hon. J. Cunningham	Hon. E. M. Heenan
Hon. E. M. Davies	Hon. C. H. Simpson
Hon. G. Fraser	Hon. H. C. Strickland
Hon. E. H. Gray	Hon. G. Bennetts

(Teller.)

Noes.

Hon. N. E. Baxter	Hon. Sir Chas. Latham
Hon. L. Craig	Hon. L. A. Logan
Hon. R. M. Forrest	Hon. A. L. Loten
Hon. Sir Frank Gibson	Hon. J. Murray
Hon. H. Hearn	Hon. H. S. W. Parker
Hon. C. H. Henning	Hon. J. McI. Thomson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	Hon. H. L. Roche

(Teller.)

Question thus negatived; the Assembly's amendment to the Council's amendment not agreed to.

The CHAIRMAN: The Assembly has amended the new clause inserted by the Council by striking out the words "whether before or" in line 5 of paragraph (e) of Subclause (2).

The MINISTER FOR TRANSPORT: This another occasion where the Assembly has amended something on which we have had expert legal advice. I move—

That the amendment, as amended, be not agreed to.

Question put and passed; the Assembly's amendment to the Council's amendment not agreed to.

Resolutions reported and the report adopted.

A committee consisting of Hon. H. K. Watson, Hon. H. L. Roche and Hon. H. S. W. Parker drew up reasons for not agreeing to certain of the Assembly's amendments.

Reasons adopted and a message accordingly returned to the Assembly.

BILL—WAR SERVICE LAND SETTLEMENT AGREEMENT.

Assembly's Further Message.

Message from the Assembly received and read notifying that it no longer disagreed to the amendment on which the Council had insisted.

Sitting suspended from 4.50 to 5.30 a.m.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Read a third time and returned to the Assembly with amendments.

BILL—TRAFFIC ACT AMENDMENT.

Assembly's Message.

Message from the Assembly notifying that it had agreed to amendments Nos. 1 to 6, 8 and 10 made by the Council, had disagreed to amendment No. 9 and had agreed to amendment No. 7 subject to further amendments now considered.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Minister for Transport in charge of the Bill.

The CHAIRMAN: The Assembly's amendments are as follows:—

No. 7. Clause 9, page 6: Delete the word "Delete" and insert the word "Amend" in lieu.

Add to the amendment the words "by deleting the words 'preparing or'" in line 5."

The MINISTER FOR TRANSPORT: I move—

That the amendment, as amended, be agreed to.

There was discussion on this provision as to the right of a police officer to apprehend a man whom he considered to be under the influence of drink and who was preparing, or attempting, to drive a vehicle. The Assembly's amendment is to strike out the words "preparing or."

Hon. L. A. LOGAN: The only difference now will be that the driving of "a vehicle" and of "a motor vehicle" will be contained in the same provision.

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

No. 9. Clause 11: Page 7—In proposed new Section 36, Subsection (1) add a further paragraph (e) as follows:—

(e) possesses knowledge of the traffic laws of this State as evidenced by written answers to set questions.

The CHAIRMAN: The Assembly's reason for disagreeing is—

The proposal may impose undue hardship on visitors to this State and does not apply to Western Australians travelling in other States.

The MINISTER FOR TRANSPORT: Members will recall that this originally arose out of a small amendment to the Act to enable a tourist to get a license for three months on presentation of his driver's license, without having to go through a test. It was found, however, when the section was amended, that whilst it afforded overseas tourists that privilege, no provision was made for tourists from

the Eastern States. So a new clause was inserted that was amended in Committee to provide that license be granted on examination. Those in another place held the view that examinations were not demanded of Western Australians in the Eastern States in order to obtain a temporary license, and if we were to have reciprocity, we should treat their tourists in the same way as they treat ours. I move—

That the amendment be not insisted on.

Hon. J. G. HISLOP: I take it that this is the only amendment under disagreement.

The CHAIRMAN: That is so.

Hon. J. G. HISLOP: In that event it would be useless for us to insist upon it.

Question put and passed; the Council's amendment not insisted on.

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

DISCHARGE OF ORDERS.

The following Orders of the Day were discharged:—

1, Bush Fires Act Amendment.

2, Hospitals Act Amendment.

On motions by the Minister for Transport.

BILL—LICENSING ACT AMENDMENT (No. 1).

Second Reading.

HON. G. FRASER (West) [5.50] in moving the second reading said: The Bill deals with occasional licenses, which are actually temporary licenses to cover the sale of liquor for a period up to 10 p.m. They are used on special occasions, but there is a stipulation in the Act that when licensed premises are granted an occasional license, the liquor must not be served from a public bar.

However, these licenses are availed of at other places, such as an agricultural showground where a sporting fixture is being held and the promoters of it are granted a temporary license until 9 p.m. But if they desire to serve liquor after 9 p.m. at an entertainment which might follow the sporting fixture, an occasional license must be secured. The promoters of these functions cannot conform to the law because the Act states that the liquor must not be served from a public bar; and on the grounds where sporting fixtures are held the only place where the liquor can be served is at the public bar, the circumstances being different from those existing in hotels where the liquor can be served in, say, the lounge, thus conforming to the provisions of the Act.

The Bill seeks to overcome that difficulty by excluding grounds on which liquor is served such as I have mentioned. To

give members an idea of how the provisions of the Bill fit in with the wording of the Act, I will read the section dealing with occasional licenses, as amended by the Bill if it is agreed to. Section 44 will then read as follows—

An occasional license shall exempt the licensee from the provisions of this Act relating to the closing of the premises on any special occasion during certain hours and on the special occasion to be specified in the license.

Provided that no liquor shall by virtue of an occasional license be sold or consumed at any public bar on the licensed premises of a holder of a publican's general license, or an Australian wine and beer license or a way-side-house license.

I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and passed.

Sitting suspended from 5.57 to 9.14 a.m.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to amendments Nos. 2, 3 and 11 made by the Council, but had disagreed to amendments Nos. 1, 4 to 10, 12 and 13.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Minister for Transport in charge of the Bill.

No. 1. Clause 5—Delete.

The CHAIRMAN: The Assembly's reason for disagreeing is—

It is considered that a worker should be protected while travelling to and from his place of work.

The MINISTER FOR TRANSPORT: Members will recall that this provision was in the Bill as presented to this place by the Assembly, and that step was taken after careful thought and after consideration had been given to the fact that it brought this State into line with other States. This Committee deleted the clause. To test the feeling of the Committee I move—

That the amendment be not insisted on.

Hon. H. HEARN: I trust that the Committee will insist on the amendment. It was debated and passed by a majority of the members of the Committee for the reasons I stated when speaking on the Bill.

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

Ayes	10
Noes	11
Majority against	1

Ayes.

Hon. G. Bennetts	Hon. W. R. Hall
Hon. R. J. Boylen	Hon. E. M. Heenan
Hon. E. M. Davies	Hon. C. H. Simpson
Hon. G. Fraser	Hon. H. C. Strickland
Hon. E. H. Gray	Hon. J. Cunningham

(Teller.)

Noes.

Hon. N. E. Baxter	Hon. J. Murray
Hon. R. M. Forrest	Hon. H. S. W. Parker
Hon. H. Hearn	Hon. H. L. Roche
Hon. C. H. Henning	Hon. H. K. Watson
Hon. L. A. Logan	Hon. J. McI. Thomson
Hon. A. L. Loton	

(Teller.)

Question thus negatived; the Council's amendment insisted on.

No. 4. Clause 6, page 4—Add at the end of the clause the following words:—

Notwithstanding anything contained in the preceding paragraphs of this section the board on application by the worker shall decide whether the worker is entitled to have his hernia accepted as an injury within the meaning of the Act and the decision of the board shall be final.

The CHAIRMAN: The Assembly's reason for disagreeing is—

This provision could cause confusion in the provision proposed to be included in the Act.

The MINISTER FOR TRANSPORT: I move—

That the amendment be not insisted on.

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

Ayes	10
Noes	12
Majority against	2

Ayes.

Hon. G. Bennetts	Hon. E. M. Heenan
Hon. J. Cunningham	Hon. C. H. Henning
Hon. E. M. Davies	Hon. C. H. Simpson
Hon. E. H. Gray	Hon. H. C. Strickland
Hon. W. R. Hall	Hon. R. J. Boylen

(Teller.)

Noes.

Hon. N. E. Baxter	Hon. J. Murray
Hon. L. Craig	Hon. H. S. W. Parker
Hon. R. M. Forrest	Hon. H. L. Roche
Hon. G. Fraser	Hon. J. McI. Thomson
Hon. L. A. Logan	Hon. H. K. Watson
Hon. A. L. Loton	Hon. H. Hearn

(Teller.)

Question thus negatived; the Council's amendment insisted on.

No. 5. Clause 13, page 6, line 20—Delete the words "dependants of" and substitute the words "widow or mother wholly dependent on".

The CHAIRMAN: The Assembly's reason for disagreeing is—

The Bill provides that the worker's dependants as defined by the Act should receive the benefit proposed

by the clause in the Bill. The amendment seeks to limit the benefit to a widow or mother wholly dependent. This is not considered desirable.

The MINISTER FOR TRANSPORT: This was not in the Bill as the Government originally presented it, but it was the definite feeling of this Chamber that the dependent widow or mother should represent the limit of liability in regard to insurance. I move—

That the amendment be not insisted upon.

Hon. H. HEARN: I trust that the Committee will insist upon the amendment.

Question put and negatived; the Council's amendment insisted on.

The CHAIRMAN: I draw attention to the fact that the Assembly's reason for disagreeing with the Council's amendment No. 6, also covers the Council's amendment Nos. 7, 9, 10 and 12, and I suggest that we might deal with these en bloc.

No. 6. Clause 13, page 7—Insert a new paragraph, to stand as paragraph (i), as follows:—

(i) deleting the words "first aid and ambulance or other" in lines 5 and 6 of paragraph (c) of the proviso.

No. 7. Clause 13, page 7—Insert a new paragraph, to stand as paragraph (j), as follows:—

(j) deleting the words "hospital charges for treatment and maintenance not exceeding as hereinafter prescribed in paragraph (d)" in paragraph (c) of the proviso.

No. 9. Clause 13, page 7—Insert a new paragraph, to stand as paragraph (k), as follows:—

(k) deleting the words "one hundred" in line 16 of paragraph (c) of the proviso and inserting the word "seventy-five".

No. 10. Clause 13, page 7—Insert a new paragraph, to stand as paragraph (l), as follows:—

(l) inserting after the word "pounds" in line 16 of paragraph (c) of the proviso the words "and also including hospital charges for treatment and maintenance not exceeding as hereinafter prescribed in paragraph (d) and not exceeding in the aggregate one hundred pounds and including ambulance service not exceeding in the aggregate twenty-five pounds".

No. 12. Clause 13, page 7—Insert a new paragraph, to stand as paragraph (m), as follows:—

(m) deleting the words "except when the board is of opinion, having regard to the circumstances of the case, that such amount is inadequate, in which event the board may allow such additional amount as it deems expedient, but not exceeding fifty pounds" in lines 16 to 21 inclusive in paragraph (c) of the proviso.

The CHAIRMAN: The Assembly's reason for disagreeing with the foregoing amendments is—

The Act provides that there should be paid to an injured worker reasonable expenses incurred in respect of medicines, medical or surgical requisites, and medical and surgical attendance (including first aid and ambulance service) not exceeding one hundred pounds and in addition fifty pounds at the discretion of the board. The Bill increases the set amount of one hundred pounds to one hundred and fifty pounds. The amendment proposes to allocate the said amount of one hundred and fifty pounds to specific items. It is not considered desirable.

The MINISTER FOR TRANSPORT: The amendments put forward by Dr. Hislop provided that the total amount would be increased to £200 and that there would be a division of the amount as stated in the amendments. Although Dr. Hislop would like the Bill to be amended in the way he suggested, he is not adamant about not accepting the verdict of another place. Again, to test the feeling of the Committee, I formally move—

That the amendments be not insisted on.

Hon. H. HEARN: I suggest we follow the Minister's lead, bearing in mind his statement that Dr. Hislop is not adamant.

Hon. H. C. STRICKLAND: The amendments were not acceptable because they laid down so much specifically for hospital, medical and ambulance costs.

Question put and passed; the Council's amendments not insisted on.

No. 8. Clause 13, page 7—Delete paragraph (j).

The CHAIRMAN: The Assembly's reason for disagreeing to the Council's amendment is—

The clause struck out by the amendment proposed that hearing aids should, where necessary, be supplied to an injured worker. It is considered that this is justified.

There seems to be some confusion about this amendment.

The MINISTER FOR TRANSPORT: The opinion of the underwriters and insurance people generally is that while they are quite prepared to supply the original requirements, they do not think they should be called upon to provide accessories or repairs that might become necessary later on and that should be borne by the insured person and not by the insurer. There seems to be considerable misunderstanding about this and apparently there has been a wrong numbering of the paragraphs. Therefore, I think it better to insist upon our amendment. I move—

That the amendment be insisted on.

Hon. G. FRASER: I think there must have been some misunderstanding because there was agreement when this was discussed. The Opposition and the Government agreed on the point.

Question put and passed; the Council's amendment insisted on.

No. 13. Clause 14, page 8—Delete.

The CHAIRMAN: The Assembly's reason for disagreeing to the Council's amendment is—

It is considered that even if an agreement has been signed and registered by an injured worker to accept a lump sum in settlement, that in the event of further compensation subsequently being warranted owing to the incapacity of the worker having increased after the date of the agreement, that the board should have power to award it.

The MINISTER FOR TRANSPORT: It will be remembered that when I moved to delete this clause en bloc I pointed out that it was not in the original Bill as submitted by the Government and it was not the Government's desire that it should remain there. There was sufficient support for it in another place to secure its passage against the wishes of the Government. We think that the clause is dangerous. It allows a man to receive a lump sum for compensation for injuries he has sustained after there has been ample time to determine the extent and nature of those injuries, and to have had a fair amount of compensation assessed in settlement of his claim. This clause will allow that man to start work again; and if he then claimed that he was suffering from some further injury, he could get a double amount of compensation. It would lend itself to malingering and could impose a burden on the compensation fund which we contend is neither desirable nor advisable. Therefore, I move—

That the amendment be insisted on.

Hon. G. FRASER: I hope that the Committee will not insist upon its amendment. There is a definite protection in the clause. A worker may have lost some portion of his arm and may have signed up for a lump sum settlement in connection with that loss. Later on it might be found

necessary to take off a further portion of his arm and the combined amounts of compensation cannot exceed the maximum amount of £1,750.

Hon. L. CRAIG: But he has accepted a lump sum in full settlement and because it does not suit him he can go back again. That is a bad principle.

Hon. G. FRASER: It is not because it does not suit him; it is because the injury to the man is greater than medical officers thought at the time.

Hon. L. CRAIG: He wants it both ways.

Hon. G. FRASER: No, he wants full payment for the injury he is suffering as a result of the accident. That is all he wants. The Minister mentioned back cases. I know they are hard cases to deal with and I hate having anything to do with them. I am not so much concerned with the back cases as I am with a person who has had a definite accident and a definite loss of portion of a limb. Members know that a person may have lost some portion of a limb and later on, through various causes, it is necessary to amputate the limb further up. The protection is there for the board to handle this business if it is satisfied regarding the injury. I trust the amendment will not be insisted upon.

Hon. H. HEARN: I am not going over the ground again, not even to the extent that Mr. Fraser has done. There is a good deal of importance in being able to effect these lump sum payments. From the employer's point of view it will be unfair if the clause is retained. I hope we insist on the amendment.

Hon. H. C. STRICKLAND: For the very reason suggested by Mr. Hearn, I do not think we should insist on this amendment. If a worker is anxious to get a start he will accept anything, and then later he finds out the injury from which he suffered has deteriorated, rendering him incapable or deficient in some way physically. There are genuine cases as Dr. Hislop has pointed out, and, of course, there are also others. I think the amendment should not be insisted on.

Question put and passed; the Council's amendment insisted on.

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

BILL—RENTS AND TENANCIES EMERGENCY PROVISIONS.

Assembly's Request for Conference.

Message from the Assembly received and read requesting a conference on the amendments insisted on by the Council, and notifying that at such conference the Assembly would be represented by three managers.

The MINISTER FOR TRANSPORT:
I move—

That the Assembly's request be agreed to.

Hon. E. H. GRAY: In supporting the motion I want to intimate to the Minister on behalf of my Labour colleagues that we will not be available to serve on the conference. I must explain why. A major crisis developed which caused another session to be started, not because of the attitude of the Labour supporters but because of the opposition and mutiny. I would call it, of members of the Government parties that support the Government in this Chamber.

Hon. A. L. LOTON: Do not be nasty!

Hon. E. H. GRAY: That being so, it places us both in this Chamber and in another place in a very false position. This is a very important piece of legislation; it affects large numbers of people and the attitude of the members in this Chamber in protecting a small majority of people and causing intense discomfort and suffering in the State, should not be tolerated by the Government. Therefore the managers from this Chamber will be in a very strong position; they can wreck the Bill if they like. If we took part in it we would have to shoulder any blame that might attach to the decisions reached. Therefore I must inform the Minister that we will not be available for the conference.

Hon. H. K. WATSON: My first experience in this House in connection with a conference was where three managers had been appointed by this House and Mr. Gray and his colleagues rose in their seats and kicked up a terrible hullabaloo because members of their party, as a party, had not been put on the conference. Today we find Mr. Gray rising in his seat and refusing to accept his obligation as a member of this Chamber to participate in a conference with another place.

I raise this point for the consideration of members: Just what is going to be the guiding policy of this House with regard to conferences with another place in the future? Is it going to be representative of the three parties, with Mr. Gray and his colleagues having the right to join or not to join as they see fit because, as they think, they may make some miserable, paltry capital out of a political issue? Or are we going into each conference on the understanding that we will have a ballot of members and elect the representatives from our parties? I think the time has come when we should decide for the future just how the managers are going to be appointed and not allow this House to be run by a comparatively small section of its members.

The MINISTER FOR TRANSPORT (in reply): I regret very much the intimation that Mr. Gray and his party dissociate themselves from participation in the conference. I deprecate, too, Mr. Gray's remark that this House has seen fit to be in

a state of mutiny against the Government. The members here have been actuated, I am sure, by principles in which they passionately believe. If members will cast their minds back to last year they will remember that in the conference that was then held there was a sincere desire on the part of all parties to shape something which would be an expression of our desire to cover the transitional stage between controls and restrictions which had developed over the years, until conditions returned to normality as they were before the war.

I think we all recognise that that step could not be taken in one jump; it had to be taken in stages and the question at issue was mainly the settlement of a difference of opinion as to how far and how fast we could move towards that objective. Having taken part in that conference I feel we did a good job; it was not so much the substance of the decisions arrived at which was criticised, because at the time the leading article in "The West Australian" praised that conference for having done something tangible by way of returning to normal conditions.

Later on criticism was levelled not at the principles that were actually established at that conference but at the errors or difficulties of drafting, and anyone who can understand the many points that had to be decided at short notice, and having any idea of legal technicalities, would fully appreciate what was involved.

The position then developed that members who, as I say, passionately believe in the principle of returning to a stage where individuals would have some sense of established property-ownership, felt that the time had come to go a step further. That step has been taken with the passing of this Bill and the endeavour at this stage to iron out the few remaining difficulties.

To assist in this way is a duty that devolves upon all members of any party, who should endeavour to arrive at a decision which they conscientiously believe to be in the best interests of the community, and so far from standing aside from a conference, members of any party should be glad to take part and do what they can towards finding a solution. If they hold decided ideas about any part of a solution, they could certainly do more effective work by participating in the conference than by standing aside and evading responsibility.

I regret that this state of affairs has occurred, but I must accept the assurance of Mr. Gray that he and his party will not assist. We must accede to the request of another place to grant a conference.

Question put and passed.

THE MINISTER FOR TRANSPORT: I move—

That the managers for the Council be Hon. H. K. Watson, Hon. H. L. Roche and Hon. H. S. W. Parker, that the place of meeting be the President's room and the time 10.45 a.m.

Usually a Minister is one of the conference managers. I, being the only Minister present, have certain duties to attend to, and I would be definitely hampered if I were tied to a conference that might occupy a considerable time. In nominating Mr. Parker, I have in mind that it might be desirable to have some legal knowledge in the event of difficulties arising should a compromise be suggested, and Mr. Parker, having had considerable experience, will take my place.

Hon. H. K. WATSON: It is conceivable that a request may be received from the Assembly for a conference on the Workers' Compensation Act Amendment Bill, and if that should come to hand after 10.45, the House would not be sitting to deal with it. I am wondering whether we should specify a time or adjourn the debate for a little while.

Hon. H. S. W. Parker: I suggest that we make the time forthwith. We could wait until the message arrived from another place.

The Minister for Transport: I would prefer to adhere to my motion.

Hon. H. C. STRICKLAND: What would be the procedure if other business were received and a conference were in progress?

The PRESIDENT: Once a conference meets, no further business may be proceeded with by the House until the conference managers report.

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

BILL—LOAN, £12,535,000.

Read a third time and passed.

Sitting suspended from 10.24 to 10.45 a.m.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Assembly's Request for Conference.

Message from the Assembly received and read requesting a conference on the amendments, insisted on by the Council, and notifying that at such conference the Assembly would be represented by three managers.

The MINISTER FOR TRANSPORT: I move—

That the Assembly's request for a conference be agreed to, that the managers for the Council be Hon. E. M. Heenan, Hon. L. A. Logan and Hon. H. Hearn, and that the conference be held in the Minister's room forthwith.

Hon. A. L. LOTON: I would like to know from Mr. Gray, who is the official Leader of the Labour Party in this Chamber, whether his colleague is prepared to accept the nomination to sit on this conference of managers.

Hon. E. H. Gray: Yes, he is.

Hon. A. L. LOTON: It was rather unusual on the last occasion when nominations were called for managers for the members of his party to decline, and yet this time we find that he and other members of his party are desirous of being represented on this conference. It is rather an extraordinary circumstance.

As Mr. Hearn has pointed out, in the future we either must have a ballot for the representatives who sit on these conferences or else we will have to adopt Rafferty rules. If it is to be Rafferty rules, then let it be "all in." However, the cleaner and better method that parties have adopted in the past is the more advisable for all concerned. It is up to Mr. Gray to indicate clearly at this stage what he intends to do.

The PRESIDENT: Order!

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

Sitting suspended from 10.48 a.m. to 2.33 p.m.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Conference Managers' Report.

HON. H. HEARN: I have to report that the conference managers met in conference on the Bill and reached the following agreement:—

No. 1. Conference has agreed to Legislative Council amendment.

No. 4. Conference has agreed to Legislative Council amendment.

No. 5. Conference has agreed to delete this amendment and substitute the following paragraph (c) in lieu:—

(c) Adding after the word "thereof," being the last word in Subparagraph (i) of paragraph (a) the words:—"Provided that if the worker dies leaving a widow or mother wholly dependent upon his earnings or a dependent child or dependent step-child under the age of sixteen years wholly dependent upon his earnings, the amount payable under this subparagraph shall be not less than five hundred pounds plus fifty pounds for each dependent child."

No. 8. Add to the Council amendment the words—"and insert a new paragraph as follows:

(j) delete the word "one" in line 16 of paragraph (c) of the proviso and insert in lieu the word "two".

No. 13. Conference has agreed to Legislative Council amendment.

Conference has also decided that Legislative Council's amendment No. 12 which was not insisted upon by the Legislative Council, be now agreed to.

I move—

That the report be adopted.

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

BILL—RENTS AND TENANCIES EMERGENCY PROVISIONS.

Conference Managers' Report.

Hon. H. K. WATSON: I have to report that the conference managers met in conference on the Bill and reached the following agreement:—

No. 22. Agreed to.

No. 23. Disagreed to but agreed to the following in lieu—

Clause 20, page 11—Add after the word "years" in line 6, the words—"or for occupation by any body of which he is a substantial shareholder or of which he is a director, manager or secretary."

No. 29. Agreed to, subject to the addition of the following proviso to the end of paragraph (c) of Subclause (2) as follows:—

Provided that where the lessor is a protected person the State Housing Commission shall make available to the lessee within three months of the date of the order a worker's home or dwelling-house.

No. 30. Agreed to subject to the following amendment:—

Delete the words "word 'month'" and insert in lieu thereof the words "period of two months."

No. 34. Legislative Council amendment agreed to subject to an amendment to paragraph (e) of Subclause (2) as follows:—

Delete all words in the first six lines of paragraph (e) and the words "of this Act" in the seventh line of the paragraph, and insert in lieu thereof the words "affect the rights at law of the lessor of premises leased at or after the specified day, the lessee of which after the specified day."

No. 35. Agreed to, subject to the following amendment:—

Delete the words "thirtieth day of September" and insert in lieu the words "thirty-first day of October."

The new clause the subject of amendment No. 35, as amended, to be inserted at the end of Part IV of the Bill.

No. 36. Agreed to, subject to the following amendment:—

Delete all words after the word "operation" in line 11 down to and including the word "incorporated" in the last line of Sub-clause (1).

I move—

That the report be adopted.

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

Sitting suspended from 2.43 to 3.30 p.m.

BILL—RENTS AND TENANCIES EMERGENCY PROVISIONS.

Assembly's Further Message.

Message from the Assembly received and read notifying that it had agreed to the conference managers' report.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Assembly's Further Message.

Message from the Assembly received and read notifying that it had agreed to the conference managers' report.

BILL—APPROPRIATION.

First Reading.

Received from the Assembly and read a first time.

Second Reading.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [3.33] in moving the second reading said: The Estimates of expenditure from the Consolidated Revenue Fund and the General Loan Fund having been passed, this Bill needs now to be passed to appropriate the money necessary for the ordinary services of the year, and to carry out the policy of the Government with regard to loan works.

To enable the services of the State to be carried on until the passing of this Bill, two Supply Acts have been passed this year granting in all £13,000,000 from Consolidated Revenue Fund, £6,500,000 from the General Loan Fund and £500,000 from the Public Account for Advance to Treasurer, and Clause 2 of the Bill grants further supplies up to the total amounts requiring appropriation, as detailed in Schedule "A".

The estimates of the Consolidated Revenue Fund provide for a total expenditure of £33,158,375, but of this £6,142,572, which includes £4,932,796 for public debt charges, is already appropriated by special Act and the amount set out in this Bill, namely, £27,015,803, represents departmental expenditure and the requirements of the Public Utilities, as summarised in Schedule "B". The estimates of the

General Loan Fund provide for a total expenditure of £17,348,120, the main headings being enumerated in Schedule "C".

Clause 3 formally appropriates the amounts required from the respective funds, including £2,000,000 from the Public Account, which may be spent in the manner set out in Schedule "D". Clause 3 further appropriates the expenditure incurred during the year 1950-51 in excess of the votes for that year, and details of these excesses will be found in Schedules "E" and "F", the former covering the Consolidated Revenue Fund and the latter the General Loan Fund. The object of Clause 4 is to approve of the expenditure of £341,564 from the Reforestation Fund, details of which are set out in the scheme of expenditure which has been laid on the Table of the House, and which requires the approval of Parliament. A summary of the proposed expenditure is shown in Schedule "G".

I do not want to weary members at this stage but it was my privilege to represent the Premier at the Loan Council meeting in Canberra the week before last, and a very brief summary of what happened at that meeting may be of interest to members and may give them some understanding of the effects of Federal and State finance and the contraction in the moneys available for our local loan programme.

The meeting held was the result of an application from four States who asked the Commonwealth Government to guarantee a certain proportion of the loans made available to them for the year. I might state that the approval required was in respect of semi-governmental loans. In this State and South Australia the works which are carried on in some States as semi-governmental works are by us absorbed into our Government programme and this was guaranteed by the Commonwealth.

In Victoria and New South Wales particularly, where big semi-governmental programmes of works were in progress, they had no such guarantee and the object of the meeting was to ask the Commonwealth Government to underwrite their loans in the same manner as it had underwritten the governmental loan programmes of the other States. The meeting of the Premiers at the Loan Council at the end of the year asked the different States what they required in the way of loan moneys.

The applications amounted to £308,000,000. The Prime Minister and Treasurer pointed out that as there was not a large amount of loan money available, it would be necessary to prune their programmes and they eventually agreed to reduce them by 25 per cent. So the total amount of loan moneys provided for their loan programmes was reduced to £225,000,000. That embraced the money for semi-governmental works and local governing bodies.

The States of Western Australia and South Australia had their allocations guaranteed by the Commonwealth Government which is a most unusual step, but they pointed out that the actual amount of money that could be obtained on the free market might only be £100,000,000. So it was necessary, in the interests of ensuring that the works be done, to be able to give some sort of surety, because it was recognised that the work was so urgent it should not be held over. The Commonwealth Government then had no option but to impose a burden of taxation on the people which would ensure the surplus it would be unable to pick up if it granted the total amount which the States claimed for their loan programme.

That is the reason why the Commonwealth Budget this year has been so high. Coupled with that there has been a capital issues control board instituted and that undoubtedly has had the effect of channelling money into the more necessary works as distinct from what might be called the unnecessary or luxury trades. There has been a pinch here and there, and the board has not been universally popular. It generally takes about 12 months for a programme restriction such as that to become apparent, and at the end of that period we will be in a much better position to judge whether the fiscal policy has been a sound one or otherwise.

The only way to overcome the difficulty would be to peg prices, and that would be a drastic step with far-reaching effects. As a result of that meeting, the Commonwealth Government was not inclined to increase its guarantee beyond that already promised. There was an element of fairness in that attitude because in the past, when money was more freely available, the States which operated mainly outside of what might be called guided channels, found that they could not secure the money outside, which restricted their efforts to governmental avenues. They could not have it both ways.

They could not get extra money outside when it was freely available and then complain when it is not so freely available and call upon the Commonwealth to guarantee or underwrite their programmes. So it has been necessary for these States to modify their programmes, which most people agree were a bit ambitious. If one bites off more than one can chew and there is competition for men and materials, that is undoubtedly one of the causes of inflation.

All of the Ministers at the Loan Council meeting presented a review of the work they were trying to accomplish and of the Loan works that had been undertaken. In particular, I stressed that our railways loan programme had been cut by 49 per cent. That was the highest cut made by any State in Australia and I also pointed out that our railways required a greater degree of rehabilitation.

On the question of immigration I indicated that we had a greater intake of immigrants than any other State and as a result the demand for housing and the necessity for greater production had created urgent problems which the actual loan allocations had not been able to meet. I move—

That the Bill be now read a second time.

HON. H. K. WATSON (Metropolitan) [3.45]: I hope members will not follow my shockingly bad example by speaking to this debate. However, there is only one point to which I wish to refer. That is the distinct possibility of an oil refinery at Rockingham. I would like to express my keen appreciation of the Government's action in this matter. I consider that the Government and particularly the Minister for Works are to be congratulated on their alacrity and vigour in the representations they made to the Anglo-Iranian Oil Company to establish its works at Kwinana. I trust that their labours will meet with success because if they do, it will certainly stand to their eternal credit.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and passed.

COMPLIMENTARY REMARKS.

The MINISTER FOR TRANSPORT: At the close of the session a pleasant custom has grown up that enables us to express our appreciation not only of the good offices of yourself, Sir, and the Chairman of Committees, but also of those officers who have assisted us, and have in their various ways contributed to the harmony and easy working of the Council. I am not going to embark in detail on expressions of the gratitude we feel towards the various officers and sections of the service here. I will leave that to my friend, Mr. Dimmitt, the Chairman of Committees.

We have had a very busy, a very profitable and, on the whole, a very pleasant session. All of us are sorry that our friend, Mr. Harry Gray, is leaving us and we all wish him the best of luck in his retirement and a very pleasant future ahead. We hope sometimes perhaps to see him here, and, in fact, I think the pull of the old spot will be such that he will not be able to keep away.

To all those who have to face their elections during the coming recess I extend my good wishes and hope they will be successful. I am sure all members of the House feel the same because over the years a very happy feeling grows up between the members who constitute this House. I will conclude, Mr. President and members,

by wishing you and the staff associated with our activities here the very best for the Christmas season and the coming year.

Hon. J. A. DIMMITT: I am sure that every member of this House is tired almost to the point of exhaustion, and I want to make my remarks as brief as possible. I join with the Leader of the House in good wishes to you, Mr. President. I would like to congratulate the Leader on the task he has performed and for the way he has handled the difficulties that arose throughout the session. To the Clerks I want to say that I am deeply grateful and I feel sure I do not merely express my own sentiments but those of the Deputy Chairmen as well. I think the Table has been conducted in a way that perhaps we have not experienced before.

The Clerk of the Legislative Council has done his work in a very punctilious manner and as Clerk of Parliaments, I am sure His Excellency the Governor and the staff of Parliament must be very pleased with the way he has kept the Bills flowing to and from Government House. My Deputies have assisted me in every way and I would like to convey my gratitude and thanks to them. To the Clerk Assistant, Mr. Roberts, and the Clerk of Records, Mr. Brown, I convey my personal thanks and those of my Deputies, because they have done a grand job.

Hon. E. H. GRAY: This is my last speech in Parliament, and I must say I feel very nervous. I endorse the remarks made by the Leader of the House and by Mr. Dimmitt, and express my appreciation of the good work you have done, Mr. President. I also wish to congratulate the Leader of the House and to thank the "Hansard" Staff for the splendid work that has been done by them. They well earn our sympathy for the work they have been required to do, and they certainly do it well.

My thanks also go to the typists on the "Hansard" staff, to Mr. McDonald and Mrs. Abbott in the telephone room, Mr. Court at the door, and to Bruce. They have all done a good job of work and have assisted us in every way. In addition, I wish to pay a tribute to the controller Mr. Burton, and his staff. I do not think we should forget the good work done by the gardening staff, and I express my good wishes to all, whether high or low, who may be connected with Parliament.

This gives me an opportunity of expressing my keen appreciation to members of the State Civil Service. As members know, for years I was Honorary Minister, and during that time I was pushed into all kinds of jobs. I met in many departments Civil Service leaders and members of the staff and they were at all times of great assistance to me. If I achieved any success as a Minister, it was due to the splendid co-operation and assistance given to me by every member of

the Public Service who came under my notice and helped me to do my work. I wish to express my heartfelt thanks to all members in this House and especially the members of the Labour group in this Chamber.

It is wonderful to be able to go away with the heartwarming knowledge that one has the goodwill, appreciation and affection of every member, no matter what one's political opinion's may be. The experience I have had here will at all times be a great inspiration to me.

Hon. SIR CHARLES LATHAM: On behalf of the Country Party members, I would like to express to you, Sir, our grateful thanks and also to the Chairman of Committees and all members of the staff our appreciation of the great help that has been given us. I am extremely sorry that at the end of this session we have had one of those long endurance tests, which not only try the nerves of members but affect their health. I hope that in future we will try to avoid that kind of thing, which we know is strenuous for the staff, for you, Sir, and for all members.

I hope that in the intervening period between now and next session we will have every opportunity of forgetting the difficult two or three days through which we have passed. I take this opportunity of wishing you and all members of this Chamber and the staff a very merry Christmas, and I hope that we will have a happy and peaceful New Year. I desire to thank you, Sir, for your many kindnesses to us.

The PRESIDENT: In expressing my appreciation of your very kind wishes at the end of this session, may I say that the spirit that has inspired the Legislative Council throughout the years has been worthily maintained in the trying days through which we have been passing. As one hon. member said, the example of forbearance and tolerance which has been exhibited here is one that could very well be emulated by every section of the community.

To our officers we are especially grateful for the way in which they have carried out their duties, and particularly for the manner in which they have kept their work up to date and enabled us to proceed expeditiously with our labours. I understand that Mr. Brown expects to leave on a trip, and to him we extend our best wishes for a happy time during his absence from the State. We hope that he will enjoy his well-earned recreation to which he is fully entitled by the close attention he gave to his arduous work.

To the Controller and his staff we are very grateful. They have always been ready to minister to our material needs when called upon. The members of the "Hansard" staff have carried out their strenuous

ous duties as cheerfully, thoroughly and efficiently as they have always done. To them our thanks are due.

As the festive season is approaching I trust you will all enjoy the best of good health and good cheer and I am sure that in the new year the spirit which has lightened the past year—the spirit of liberty and the ability to thrash out our problems in an amicable manner—will go a long way towards attaining that peace in the world that we all so sincerely hope for.

ADJOURNMENT—SPECIAL.

THE MINISTER FOR TRANSPORT
(Hon. C. H. Simpson—Midland): I move—

That the House at its rising adjourn to a date to be fixed.

Question put and passed.

House adjourned at 4.2 p.m. (Saturday).



Legislative Assembly

Friday, 14th December, 1951.

CONTENTS.

	Page
Questions : Gas, (a) as to production cost and selling price	1708
(b) as to independent inquiry	1707
Education, (a) as to new technical school, Midland Junction	1707
(b) as to Teachers College students and service retirements	1707
War patriotic fund, as to continued existence	1707
Roads, as to Guildford Road, reconstruction and widening	1707
Transport, as to hire of Government buses	1708
Dental and optical services, as to concessions to pensioners and indigents	1708
Collie coal, as to coking tests	1708
Railways, as to possible increase of freights	1709
Egg Marketing Board, as to intake at Narrogin, Wagin and Katanning	1709

CONTENTS—continued.

	Page
Bills : Road Closure, Message, 2r., remaining stages	1710
Returned	1805
Reserves, Message, 2r., remaining stages	1710
Returned	1805
Metropolitan Market Act Amendment, 2r., defeated	1711
Licensing Act Amendment (No. 1), 2r., Com. 3r. report,	1715, 1736
Returned	1805
Traffic Act Amendment, Council's amendments	1717
Council's message	1805
Loan, £12,535,000, Com., remaining stages	1723
Returned	1819
Electoral Act Amendment (No. 2), Council's amendments	1736, 1747
Licensing Act Amendment (No. 2), Council's amendments	1764, 1773
Council's message	1805
War Service Land Settlement Agreement, Council's message	1793
Workers' Compensation Act Amendment, 3r.	1709
Council's amendments	1805
Council's message	1818
Assembly's request for conference	1819
Council's further message	1819
Conference managers' report	1820
Rents and Tenancies Emergency Provisions, Council's amendments	1805
Council's message	1805, 1821
Assembly's request for conference	1808
Council's further message	1819
Conference managers' report	1819
Appropriation, Message all stages	1822
Motions : Railways, as to new marshalling yards, Bassendean, defeated	1711
Fremantle Harbour, as to contradictory statements and order of extensions, defeated	1736
Annual Estimates, 1951-52 : Votes and items discussed	1747, 1765, 1793
State Trading Concerns Estimates	1814
Loan Estimates, 1951-52, Com.	1815, 1821
Complimentary remarks	1823
Adjournment, special	1824

The SPEAKER took the Chair at 11.30 a.m., and read prayers.

QUESTIONS.

GAS.

(a) As to Production Cost and Selling Price.

Mr. W. HEGNEY asked the Minister for Works:

(1) What is the cost of production, per 1,000 cubic feet of 480 BTU, of—

(a) carburetted water gas;

(b) gas from New South Wales gas coal imported to this State?

(2) What is the present selling price of gas in metropolitan area?